

**S – 599**

**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

**PROCEEDINGS  
2010**

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THE CONNECTICUT GENERAL ASSEMBLY

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MARCH 26, 2010

The Senate was called to order at 11:53 a.m., the  
President in the Chair.

THE CLERK:

The Senate will convene immediately. The Senate  
will convene immediately.

THE CHAIR:

The Senate please come to order. Members and  
guests please rise and direct your attention to our  
guest chaplain, Tom Shields, Tom.

ACTING GUEST CHAPLAIN TOM SHIELDS:

Let us pray, almighty and eternal God, You have  
revealed Your glory to all nations. God of power and  
might, wisdom and justice, through Your authority is  
rightly administered, laws are enacted and judgment is  
decreed.

We pray for our elected constitutional officers,  
the members of this senate and all others who are  
entrusted to guard our political welfare.

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May they be enabled by Your powerful protection to discharge their duties with honesty and ability.

We ask this in Your name. Amen.

THE CHAIR:

Senator Williams will you join us in the pledge, please.

SENATOR WILLIAMS:

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 I will entertain points of personal privileges or announcements. There's a good show on the Tonight Show right now, so you still have time.

Mr. Clerk is there any business on your desk, sir?

THE CLERK:

Mr. President, the Clerk is in possession of Senate Agenda Number 1. It is Friday, March 26, 2010.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

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Mr. President I believe the Clerk is also in possession of Senate Agenda Number 2.

THE CHAIR:

Mr. Clerk.

The Senate will stand at ease.

SENATOR LOONEY:

All right, Mr. President, will just move Senate Agenda Number 1.

THE CHAIR:

Mr. Clerk.

SENATOR LOONEY:

Mr. President, I would move all items on Senate Agenda Number 1 dated Friday, March 26, 2010 to be acted upon as indicated, and that the agenda be incorporated by reference into the Senate Journal and the Senate Transcript.

THE CHAIR:

There's a motion on the floor to move all items on Senate Agenda Number 1. Seeing no objection, so ordered, sir.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President, if we might stand at ease for just a moment. I believe there -- there is a

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Senate Agenda Number 2 of which I am in possession and wanted to make sure that it is -- has been distributed.

THE CHAIR:

The Senate will stand at ease.

(Chamber at ease.)

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, while we're waiting for the distribution of additional items, move the Senate stand in recess. We hope it will be a brief recess.

THE CHAIR:

Okay, the Senate will stand in recess subject to the Call of the Chair.

On Motion of Senator Looney of the 11th, the Senate at 11:57 p.m. recessed.

The Senate reconvened at 12:51 a.m., the President in the Chair.

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THE CLERK:

The Senate will convene -- reconvene immediately.

The Senate will reconvene immediately.

THE CHAIR:

The Senate will come to order.

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

THE CLERK:

Mr. President, the Clerk is in possession of  
Calendar for Friday, March 26, 2010.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President for  
purposes of a -- the calendar marking.

THE CHAIR:

Okay.

SENATOR LOONEY:

Mr. President, Calendar -- Calendar page 9,  
Calendar Number 73, Senate Bill Number 355 should be  
marked go and taken up as the first item of business.

THE CHAIR:

Thank you, sir.

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Mr. Clerk.

THE CLERK:

Calling from Senate Calendar for Friday, March 26, 2010, favorable reports, Calendar page 9, Calendar Number 73, File Number 78, Senate Bill 355, AN ACT CONCERNING CAPITAL IMPROVEMENTS REQUIRED BY THE DEPARTMENT OF DEVELOPMENTAL SERVICES, favorable report of the Committee on Appropriations.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, Mr. President.

I move the Joint Committee's favorable report.

THE CHAIR:

Acting on approval, ma'am, would you remark further?

SENATOR HARP:

Thank you, Mr. President. I believe that the Clerk is in possession of an amendment, LCO Number 2969.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 2969, which will be designated Senate

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Amendment Schedule A, is offered by Senator Williams of the 29th district, Senator Looney of the 11th district.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, Mr. President.

I -- I move the amendment.

THE CHAIR:

Motion on the amendment, ma'am.

Would you like to remark further?

SENATOR HARP: ..

Thank you, Mr. President. ~

This amendment contains the Governor's budget mitigation plan and we bring it before the Senate today to give those in the Senate the ability to comment upon the Governor's mitigation plan and vote upon it.

THE CHAIR:

Thank you, ma'am.

Will you remark? Remark further?

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President.



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

THE CHAIR:

Senator Harp.

SENATOR DEBICELLA:

Mr. President, through you, if the good Senator  
could just explain to the Circle what is, just an  
overview, in the Governor's deficit mitigation  
package.

Through you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, Mr. President.

I believe that the Governor has indicated, based  
upon a letter from the Controller and from the Office  
of Policy and Management, that the budget, the 2010  
budget, is a little over \$500 million in deficit and  
this proposal attempts to address that deficit.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President.

And, Mr. President, through you, just -- just to

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make sure of what we are actually voting on tonight, there are certain things in closing that \$500 million deficit that is actually not in the package tonight, is that correct?

For example, I believe that there was a \$100 million deferral of our pension payments that is not in the bill before us tonight but rather within the Governor's purview to take action on based on the previous budget that we passed.

Is that true, through you, Mr. President?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you.

Through you, Mr. President, I believe that the Governor has indicated that she believes to have unilateral authority to make certain reductions that would not be included in this package.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President.

So I also believe there is a ARRA clawback that is also automatic and not included in this package, so

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what we are looking at tonight is fund transfers and spending reductions. Is that correct to the Senator's understanding?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Mr. President.

I believe that is correct.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President.

And I thank the good Senator for the answers to those questions.

Mr. President, before we talk about the bill tonight, I actually think it's important for us to say why we don't need to be here. And I don't mean that in the sense of we should have started eight hours ago when we were initially called in, I mean in the sense that we didn't have to be here in the sense of having a deficit today. Because if you trace the root of why we have this \$500 million deficit, it goes back to the budget, the biennium budget that was passed almost six

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months ago now.

And when that budget was passed we in the Circle debated the fact that the revenue assumptions in that were unrealistic and the spending cuts in it were phantom. And what we have today in front of us is the result of revenue not coming in as projected, so we all knew it wouldn't, and the spending cuts that were claimed there turned out to be phantom and we have had no spending reductions whatsoever, in fact, spending increases that have put us further into deficit.

And so as we look at this today, you say well what -- what could we have done differently as a Senate and as a General Assembly? Well, we were here in December and in December we could have voted and approved the deficit mitigation package that cut spending. Again at that point we failed to act. We failed to pass meaningful spending cuts that could have avoided us being here today.

So now we're in a situation with a \$500 million deficit and three months left in the State's fiscal year. A challenging situation for all of us because there just isn't that much time left, and the Governor has put forward a proposal that actually does balance. And what I want to do tonight, Mr. President, is to

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talk a little bit about each element of this proposal because there are elements in here that I believe are strong, that the Governor has made some very tough choices and there are some elements that I think are not so strong and so I actually want to talk a little bit about each of them.

So first, Mr. President, I want to talk about the spending reductions because throughout this entire process it's been the Governor and the legislative Republicans who have been willing to come forward and actually put spending cuts on the table, real spending cuts, not spending cuts where we say well we're going to increase spending and get more revenue and somehow that's a cut. Actually saying that there are tough choices that need to be made and we can't do the same thing tomorrow that we were doing yesterday.

And if you actually look at the details of the Governor's spending cuts, you could see that she's been very, very measured and very logical on this. She's not gone through and eliminated entire programs. She's not gone through and say we're going to have 75 percent, 100 percent cuts. She's has taken a little bit from everywhere, from DSS, from Education, Culture and Tourism, DCF, to say what are the types of

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moderate things we can do to actually balance this budget.

And so as you look at this, you actually see a large number of things that have been brought up in the past, items that, if we had acted on them in December, could have saved us a lot more money and possibly resulted in less of a need to make cuts. But we are where we are today.

And so as you look at this bill and look at the cuts that are contained within it, they range. The range from very large cuts -- I shouldn't say very large cuts -- relatively large cuts in the millions to smaller cuts in the thousands and she's done this to actually make sure we have balance, to make sure that no one area is being hit too hard.

Now I believe that these cuts are measured and will carry us forward into 2011. One of the best parts of the Governor's proposal, I believe, is that she's actually making spending reductions that will not only benefit us for this year but the next year and 2012 and 2013 and beyond because one of the largest issues that we have is that we're not just dealing with this year's deficit, we're dealing with next year's and the estimated six to eight billion

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dollars that we have in 2012 and 2013.

So, Mr. President, we actually should be very grateful that the Governor has been the one to come forward with these ideas. Now the second area that she has in her budget deficit mitigation package is fund transfers and fund transfers are something that we've been talking a lot about. We talked about trying to find I believe it was \$212 or \$220 million in fund sweeps in the biennium and we've come back once again to try to find more.

And if you look at it, I believe there's actually areas where the Governor could have taken even more. Areas like the Citizens Election Fund where she's proposed a \$12 million cut but there is significantly more there that could be used to actually balance this budget. But again she's been very measured in her approach to this, making sure that each fund retains a balance; that we're not zeroing out funds. She's also done things that I believe are fair to some of our constituent departments. Under a proposal, UConn will actually pick up additional debt service costs related to UConn 21st century. Again, something that if you think about it from a budgeting standpoint, makes complete sense that those agencies that are actually

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going to be benefiting from debt service are the ones who are paying it.

In total the Governor has swept approximately \$53 million in the current year and about \$10 million in the next year. Again these are things that will not be carried forward like the spending cuts, they are one time events, but again something that hopefully we can all agree is a positive thing that will help us balance the budget.

The third area of this that gives me pause, Mr. President, is the area that Senator Harp said is not in what we're voting for today, and that is deferring our pension payment. And although that is not in the bill before us today, it is an implied element of how we would close this deficit. And I think it's something that we need to be concerned about because I think everyone knows that our pension is underfunded, that we have an unfunded liability in the billions. I believe it's 9.4 billion, if I remember correctly. And by deferring payments, it definitely closes the deficit today but it's exacerbating the problem that this General Assembly is eventually going to have to deal with.

So as you look at this again, the Governor and



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the Legislative Republicans have come out over the course of the last 18 months with a large number of ideas for spending cuts. And my hope would be is that as we continue the debate tonight, we can talk about some of the other ways that we would not have to defer this payment. However, this is not necessarily before us in the vote tonight, but it is implied.

The other implied area is one where I think we have wide bipartisan agreement on the A -- the ARRA clawback. Again, this is something that is going to be automatic regardless of what is happening in this budget tonight because we do have monies from the federal stimulus package that the State of Connecticut was due to receive but because of various timing in estimate areas did not. So we will be receiving those and that will going to this.

Now, Mr. President, the final area of this that does give me the largest pause is the hospital tax. And this is something that I know we're going to be discussing a lot tonight. And it's something that gives me pause because, obviously, I think most people know my philosophical bent is that we do not need to raise taxes to eliminate this deficit. And my preference would be to see us return to look at other

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areas, other areas that can actually be cut instead of doing a hospital tax.

Let me talk about some of them that I think that we could actually look at that could have impact in 2011.

One of the areas that we've talked a lot about in this Circle is agency consolidations. If you look around and actually look at the structure of state government, we have so many agencies that have either overlapping provisions or -- or are doing jobs that are very similar to each other. And in our budget proposal last year, we actually proposed consolidating 23 state-agencies into 6. Now this isn't something we can do to get savings in 2010, but much like the other areas of this budget, we could do them in 2011 and then shift more of the Rainy Day Funds to 2010.

If we were to consolidate 23 state agencies into 6, what that would enable us to do is to reduce much of the overhead that is contained in those budgets, commissioners, deputy commissioners, secretaries, and actually be able to save money while maintaining the level of service that we want to have for our constituents.

Another area that I believe that we can find

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significant savings for, again, in 2011, is a reset of programmatic spending back to 2007 levels. If you actually look at much of the discretionary spending that is throughout our budget, if we were to reset them back to 2007 levels, it would be a 5 to 10 percent cut. Again, not decimating these programs by 50 or 60 percent, but rather simply saying a 5 to 10 percent moderate cut in our discretionary programs would save us hundreds of millions of dollars a year.

We wouldn't have to do the hospital tax. We wouldn't have to defer the payments for the pension fund. We could actually close this deficit purely through spending cuts, not -- not pleasant. Not something that people would jump at the chance and say, yeah, we all want to do that, but it is the lesser of evils in making these choices.

Another area, Mr. President, that we've talked a lot about that we actually need to start moving on is shifting more of our social services over to private providers, and this is something that we can't do again in 2010. It's something we probably can only do on a limited basis due to the SEBAC agreement in 2011 but it's actually an area that makes complete sense when we talk about reinventing government.

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Reinventing government, to me, is all about keeping the level of service for our clients and citizens while reducing the costs.

And our private providers are actually able to do that, able to actually maintain the quality of services for the most needy in society but they do it at less cost than the state. And we've all seen the evidence. We've seen the evidence that on a per-client basis in DMHAS, in DDS, that our social services are done 40 to 50 percent cheaper on a per-client basis with our private providers over our state institutions...

Now, the issue with that idea of course that we've talked about is that the SEBAC agreement prohibits us from doing any layoffs until the end of the biennium.

However, the planning needs to start now. And one of the things that I think we can have in this bill is actually starting to move in that direction, to instruct our commissioners to come up with the plan that once the SEBAC agreement expires that we could actually be realizing savings in calendar year 2011 to reduce the deficit while maintaining the crucial services for our -- our neediest clients.

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Now, Mr. President, as we think about the deficit mitigation package and we actually think about where we want to take the State of Connecticut, any budget that we bring forward is our set of priorities going forward. And what the Governor has put together here today is a set of priorities that says we need to live within our means, just like every family out there does. And the question that we need to think about, in saying we need to live within our means is, is this the right set of trade-offs.

Now with the majority bringing this bill forward, I'm hoping that they're in agreement with the majority of the provisions in here. My hope is that they look at these spending reductions and say it's time for us to finally get serious about reducing spending.

However, Mr. President, and I know we're going to hopefully have some amendments this evening, is things like the hospital tax are the wrong way to go right now and we are going to need to be able to talk about what we might be able to substitute rather than have the hospital tax.

There is another area, Mr. President, that -- that I forget to mention that, again, I'm not sure if this is contained within the bill itself or whether

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it's implied, but the Governor did propose \$45 million of cuts in municipal aid. So, again, this is something that members of both sides of the aisle have expressed concern about is -- actually cutting municipal aid, I think, is something that we want to try to avoid in the short-term. In the long-term, we'll need to talk about whether the current level of municipal aid is sustainable given the fiscal challenges that the -- that the state faces.

But, again, if there are other areas of state government that we can cut to preserve our education funding for municipalities and our road money for municipalities that is probably an area that we want to look at. And I think, Mr. President, as you think about this, there are still other areas that we can find spending reductions. One of the things that we've talked about is the idea of furlough days for nonunion employees.

I think we all know that for union employees, because of the contractual obligations, the Legislature can't simply vote for additional furlough days.

However, for nonunion employees, this is an area where we can actually implement furlough days and

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actually get some significant savings. Again, another area that we can look at to cut spending.

One of the areas that, again, I think has -- it's received a lot of attention and, again, I think enjoys a lot of bipartisan support is the idea of longevity pay. Longevity pay is, of course, the pay that you get just because you've been here a long time. I believe at 5 and 10 and 20 years, you get different amounts. And as someone who has worked most of their career in the private sector, you have to ask yourself, why would we simply pay someone for being here a long time, regardless of the quality of the job that they're doing. And I think most management experts would tell you that you want to try incent your workers and reward your best workers but not necessarily reward the ones who are there for a long time.

So I think looking at longevity pay and actually thinking about eliminating that is something that we should be talking about. Again, we fall into the issue of union versus nonunion workers. Where with the union, because of contractual obligations, we will not be able in the short-term to adjust longevity pay but for nonunionized workers, that is something that

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we can absolutely take a look at.

There are other areas that we actually need to take consideration of and I think that my colleagues on both sides of the aisle have looked at all these items at one point or another. Last year, when we were talking about the budget, the Republican Caucus proposed the elimination of deputy commissioners, an idea of saving overhead at a time when we can least afford it. I think that's an idea that now enjoys broad bipartisan support.

An idea that I do not believe is in the Governor's mitigation package tonight but is one that I think we can get behind. Deputy commissioners, you know, they're all valuable employees. They've all done -- I shouldn't say all -- but I'm sure most of them have done a very good job in their roles. The question is can we afford them anymore. Can we afford that kind of overhead in our departments? And I think that if we look ourselves in the mirror, the answer is no -- excuse me -- instead what we should do is eliminate those positions and focus more to ensure that we have the resources to continue the level of service that our clients and citizens are looking for from our service.



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The other area that I think we need to be looking at, Mr. President, is we actually need to be looking at ideas that will change the way that government actually operates on a day-to-day basis. Again, keeping in mind the principle that we don't want to lower the quality of service to the end user. These are areas like, one of the ideas, that I believe credit goes to the other side of the aisle for, is eliminating some of the paperwork that we often have here in the General Assembly.

We spend probably a lot of time and money printing out things that could actually be done online. I believe my colleagues on the other side have come forward with that idea. It is a good one. It is something that we should be considering tonight.

Because as you look at these things, Mr. President, the only conclusion that one could reach is that there's no need to increase taxes this year. Unfortunately, the biennium budget that we passed last year increased taxes by over a billion dollars. I think we've seen the impact that that has had on our economy. I think we continue to see it out there in terms of having 10 percent unemployment, close to 10 percent unemployment in Connecticut, in terms of

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hearing layoffs almost every month.

And if we don't take the actions here to actually reduce spending, the only result in the next three years, as we face a \$700 million deficit in '11 and a deficit in 2012 and 2013, is going to be higher taxes. Because at the end of the day, Mr. President, there's only two ways to balance the budget, you cut spending or you raise taxes. Borrowing is a short-term solution.

So if we don't take some of these actions here tonight, the only result for the next legislature that meets here a year from now is going to be to raise taxes and not just raise taxes on the rich, like my colleagues on the other side of the aisle like to say, but to raise taxes on the middle class.

So I'm optimistic, Mr. President, that the Governor has given us a good starting point. The Governor has given us a place where we can hang our hat if we can join together in a bipartisan fashion to say, these are the spending reductions that we are willing to get behind. That these are the items that we believe will actually balance the budget in FY 10 and FY 11.

There is one area, Mr. President, that I forget

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to mention and that is the Rainy Day Fund. It's something that is important because it's the mechanism by which we actually eliminate the deficit this year. If you look in FY 11, in the Governor's proposal, she's actually talking \$219 million and shifting it from FY 11 to FY 10. The reason for that is because most of the cuts that we're talking about can't actually achieve significant savings in FY 10. The reason is we only have three months left in the year.

However, the Governor's spending cuts actually saving \$120 million in FY 11. If you combine that with the other items, fund sweeps, the ARRA clawback, we're able to transfer that \$219 million back to FY 10. However, we have to go into this with eyes wide open. Is that by taking that money from the Rainy Day Fund back to 2010, we are simply going to maintain the current projected \$700 million deficit in 2011.

Now, the question that we are going to have before us is how does this actually link up with the budget that the Appropriations Committee passed just yesterday or two days ago now. Because the budget that the Appropriations Committee passed actually looks to try to close the -- the FY 11 deficit by spending more money. And this is something that we

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had a lengthy debate on, Senator Harp and myself and the others on the Appropriations Committee two days ago, and eliminating the \$700 million in the FY 11 deficit by actually increasing spending is a little bit of a fallacy and it's something that I think most voters out there understand and most citizens understand is that when you're starting to take in less than you're spending, the solution to that is not to spend more money. The solution to that is to cut back.

And so, Mr. President, as we are looking tonight to actually come to a bipartisan consensus on this, -- one of things we're going to need to consider is if we can make further spending cuts. It's something that, given some of the rhetoric from outside of the Circle that we've heard in the press, I'm optimistic about. I actually believe there is a growing sense on both sides of the aisle that spending cuts are necessary. I think you're hearing that from people out in your districts. People out there, Mr. President, are telling us stories of how their families are being impacted.

In Stratford, I was talking to one man who works at Sikorsky who, you know, is making well less than

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\$80,000 a year and he was telling me about the issues that his family faces in trying to balance their budget. And he said to me, why can't the State of Connecticut do what my family does. My family, when we don't have the money to pay for things, we need to cut back. We didn't go on vacation last year. We're not going to be able to afford any new capital -- I use the word capital, he didn't use it -- any new forms of entertainment equipment this year. And he said, the State of Connecticut, you guys up there need to do the same thing. You all are hearing that in your districts.

So that is what we're seeing here today. Is we are seeing an attempt to actually make sure that we are controlling spending in a responsible way. And now, as the Governor has put forward her plan, in the \$102 million of FY 11 spending cuts, she has attempted to make sure that her cuts do span a large number of areas.

And as I've looked through this bill, Mr. President, one of the areas that has -- one of the areas that has struck me as incredibly responsible is the Governor's desire to make sure that we have balance across departments.

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So, in summary, Mr. President, tonight I believe that, with some amendments, we might be able to pass this bill. I'm fully supportive of the Governor's spending reductions. They're responsible. They're moderate. I'm fully responsible -- I'm fully supportive of her fund transfers. I have concerns about the implied municipal aid cut and I have serious concerns about the hospital tax that's been proposed. Given that, I'm going to refrain judgment on my vote on this until we see how some of the amendments go later. But with that, Mr. President, I thank you for your time and I thank the Circle for their indulgence at this early hour.

THE CHAIR:

Thank you, sir.

Will you remark? Will you remark further?

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

A couple initial questions through you to the proponent of the bill.

THE CHAIR:

Senator Harp.

SENATOR KISSEL:

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My first question through you, Mr. President, is exactly how much money does this proposal save for the people of the State of Connecticut? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Mr. President.

I believe that the entire amount is in the fiscal note, which I'm sure you're looking at. I think the Governor is trying to solve for the \$500 deficit. Some of that that she solves for are within her gubernatorial authority and that's approximately I guess in fiscal year '10, 151 million and in '11, probably 38 million. And then she makes a series of other cuts that are detailed in the fiscal note.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much.

And so if I was correct in what I heard, that part of this proposal utilizes the Governor's unilateral authority and that there's other parts in here that she needs legislative authority to move

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forward with. Is that correct? Through you, Mr.  
President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, sir, that's my  
understanding.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

And my next question is looking at some of these  
major areas, you know, one of the committees that I  
used to serve on, as ranking member, was Human  
Services and I'm wondering if there's any impact to  
the Department of Social Services in this proposal.  
Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Mr. President. I think  
if you look at Sections 9 and 10 and 11 and 12 -- let  
me see -- 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23,  
24, 25, 26, 27 and 28, I think that most of the impact



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in the Governor's mitigation proposal actually comes out of the Department of Social Services in various cuts to existing programs.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

And I appreciate that response so in looking at the first section referred, Section 9, the language that I see, the new language says copayments under the Husky Plan Part B shall be the same as those in affect for active state employees enrolled in a point of enrollment health care plan and so that -- first of all, how many Husky plans do we have? It says Husky Plan Part B. Is there is a Husky Plan Part A or a Husky Plan Part C? Through you, Mr. President.

THE CHAIR:

Senator Harp..

SENATOR HARP:

Thank you. Through you, Mr. President, there is a Husky A, a Husky B and a Husky C.

SENATOR KISSEL:

Okay.

THE CHAIR:

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Senator Kissel.

SENATOR KISSEL:

Thank you very much. And -- and if I may, through you, Mr. President, what's the difference between Husky A, B and C? We use it all the time but perhaps for those folks watching on the CT-Network --

A VOICE:

(Inaudible.)

SENATOR KISSEL:

Well, I know, maybe not a lot right now at 1:30 in the morning but it will get played over.

THE CHAIR:

I just got a survey, Senator Kissel. There are a lot of folks watching. So --

SENATOR KISSEL:

I believe so.

THE CHAIR:

-- please proceed, sir. Please proceed. Yeah.

SENATOR KISSEL:

I know, quite often, I'm watching at 1:30 in the morning but -- but, again, just so that -- I know some of this applies to adults, some of it applies to children and I'm just wondering the distinction between Husky A, B and C. Through you, Mr. President.

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THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, Husky A is a health insurance program for children who would have been eligible for medical services under the Medicaid program and so it's funded basically through a 1915(b) waiver of social security initially and it morphs over into what is called the SCHIPS program. At, I think, approximately over 185 percent of poverty, we move into what is the called the Husky B program and that is funded through the SCHIPS program, which is a program that provides health insurance coverage for children and subsidizes it and requires a -- a payment from the state and then subsidizes it with a payment from the -- from the federal government.

Husky C is a program that provides to the Husky B insured children, who are chronically ill, durable medical equipment that is very similar to, although not exactly the same, as that -- that the children who are eligible for Husky A are entitled to.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

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Thank you very much. And I really appreciate that answer and -- and clearly Senator Harp knows the Husky plan frontwards and sideways. I'm wondering why in Section 9 this copayment provision is targeted to Part B. Are these copayments made by the state or copayments made by the individuals receiving the benefits under Part B? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. One of the things that I didn't -- failed to mention, through you, Mr. President, is that in Husky B, through the SCHIPS program, there is the ability to charge premiums and co-pays. And so since the beginning of the program in the higher -- for higher income families premiums and co-pays have been charged and the state can charge premiums and co-pays.

And I -- I can't really speak to the Governor's proposal but it's my assumption that she is -- is recommending that we charge higher co-pays for the Husky Plan Part B.

THE CHAIR:

Senator Kissel.

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SENATOR KISSEL:

Thank you very much. So as -- as I read the provisions in lines 149 through 153, it appears that what this is going to do is allow for copayments under Husky B similar to what active state employees enrolled in a point of enrollment health care plan pay. I'm just wondering what they -- it seems like it's a term of art, active state employees. Why would we call -- why would we delineate this as active state employees as opposed to what? What else is there other than active state employees? Retired? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, I think that -- I would actually say that I don't know and that I think that his guess of retired is -- is an answer that if I had to make a guess would be the answer that I would guess but I can't imagine what an inactive state employee is unless that employee is retired. But I -- it could be something else. I really don't know.

THE CHAIR:

Senator Kissel.

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SENATOR KISSEL:

Thank you very much, Mr. President.

And when it says enrolled in a point of enrollment health care plan would be that -- would that be the kind of health care plans that are offered to us as legislators? And I guess state employees are offered different kinds of plans. And so what this proposal essentially is doing is creating the same kind of copayment structure for the recipients of Husky B, as we as state employees -- granted, as legislators, I guess we're not considered full state employees for a lot of purposes but I think in -- in terms of health care plans, I think that's probably an adequate analogy -- and so is it saying that the co-pays that you or I might pay, if we have a health -- the state health care plan would be the ones that this would allow recipients of Husky B to pay?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Mr. President, I believe that he actually has it pretty much correct. I think that the point of enrollment health care plan is

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probably the most inexpensive plan that is available to state employees.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you. And so I'm trying to figure out how this is going to save an awful lot of money because what I've heard, and perhaps this is incorrect, is that state employees' copayments are actually very, very small compared to what's out there in the private sector and what this is doing is having folks make a similar copayment as every state employee to help, I guess, would be to help defray the cost of the Husky Part B Plan. Is that correct? Through you, Mr.

President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, I don't believe that any of us around this Circle have to guess about the copayments of the state plan as we all have it. We all make decisions about whether or not we'll take it. I think, though, that what makes this unique for the Husky Plan is that currently their co-pays are less

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than the state co-pays. And the reason that they're less than that is that their average salaries are far lower than the average salaries of state employees.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. Well I -- I would guess that to be the case otherwise they wouldn't even be eligible for Husky B because if they were making the same as -- as a state employee, they wouldn't need a state program. So I -- I clearly see where Senator Harp is going with this but it -- but also on the other hand I'm wondering that since I hear from an awful lot of my constituents that in the private sector that their co-pays are substantially greater than what -- than what state employees have to do -- have to co-pay, that -- that right now if you are eligible for Husky Part B you -- you may pay a -- a really de minimis copayment.

And I'm just wondering what it -- what it might be right now without this language. What do -- what do recipients of Husky Plan Part B pay as copayments for visiting the doctor or buying pharmaceuticals or something? Through you, Mr. President.



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THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. Through you, I can honestly say that I don't have the answer to that question.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. And it says later on that the premiums and copayments do not exceed the maximum annual aggregate cost-sharing requirement. And to my mind, that's sort of an odd set of terms. Does -- through you, Mr. President, I'm wondering what the maximum annual aggregate cost-sharing requirement is and it seems like a term of art but I'm just wondering where that comes from. Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Actually, through you, Mr. President, I actually do have now the -- the differences in co-pays between the state health plan and the Husky B co-pays. For Husky B, an office visit co-pay is \$5; in the state plan it would be \$10. For Husky B, for

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co-pays for generic drugs, for the Husky plan it would be \$3 and for state plan it would be \$5. For Husky B, for brand name drugs, it would be \$6 and for the state plan, it would be \$10, if it is on the preferred drug list and \$25 if it is on the nonpreferred drug list.

And then as to the -- through you, sir, through the -- the term of art "do not exceed the maximum annual aggregate cost-sharing requirement," I believe in statute we indicate a maximum annual aggregate cost-sharing requirement. And I also believe that federal law sets a -- a high maximum -- the maximum that we can assign for cost-sharing. So we do it both in statute as well as in -- I believe that there is some federal guidance around that as well.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much and I -- I really do appreciate the responses from Senator Harp. It does clarify an awful lot because on the one hand by saying that, for example the doctor's visit, the copayment will go for -- from \$5 for a Husky Plan B recipient right now to what the state employees would pay, which is 10. I mean for those who might not agree with this

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proposal, you could argue that, oh, you're doubling the amount of co-pay. And when you say doubling, or increases 100 percent, that sounds really negative but when you say it's going from \$5, which to be honest sounds like rather de minimis to \$10, and when you compare \$10 for a co-pay for a physician's visit to anything available in the private sector, I think that if you reached out and spoke to most of your constituents, they would say \$10 is a rather modest copayment for any kind of doctor's visit.

Likewise, for the -- I believe it was the generic drugs to go from \$3 to \$6 doesn't seem like an extraordinary jump but it could be called doubling or increasing 100 percent.

Now that's at the same time, though, and I'm -- I'm very sympathetic to the notion that folks that are making an amount of money that is very, very small compared to folks that are living above the poverty level that even going from \$5 to \$10 or \$3 to \$6 could work a -- a hardship. But my guess is that as long as the total annual amount is at or below the cap set by federal law that at least we would be -- we would be within our rights and so it strikes me that although thoughtful people could disagree with this

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particular provision that the federal strictures for this program and the appropriate reimbursement to the state regarding these programs that they gave us some latitude to make some decisions and it seems that the Governor's office, in crafting this, has said we are not going to go beyond the cap that has been set out.

And so I understand that probably the increases in these co-pay amounts will work to help defray our state deficit. And I'm just wondering if, through you, Mr. President, if we know how many people might be affected by this, how many participants there are right now in Husky Plan Part B. Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. I believe there are about 15,000 lives in Husky B.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. So 15,000 folks involved in this program and I know that a lot of folks were very excited when we started moving forward with Husky to

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try to take care of children, in particular, and then I think it sort of morphed into adults but specifically for the children. I -- I think that most everyone would agree that if we were going to expand health care coverage that taking care of children would be beneficial.

Before we leave section 9 and proceed to section 10, I'm just wondering, with the most recent passage of the healthcare reform bill in Washington, D.C., if we know if that bill will impact our Husky plan -- our Husky programs here in the State of Connecticut? Clearly the intention of the federal reform is to have universal healthcare at some point in time. I believe that the revenue increases will begin sooner rather than later and that the expansion of coverage will take place in the years 2014 and then beyond but there's a lot of anticipation as to what will happen if, indeed, the plan survives intact, although it is currently being challenged by upwards of well over a dozen states in federal court but specific provisions of that federal law are being challenged but assuming that everything that's in that federal law comes to pass, if eventually that would completely supplant the need for the State of

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Connecticut to have something like a Husky plan.

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, you know that's an interesting question. And I've got to say that I know a little bit about the -- the new federal law, not a lot. I believe that we're required, under the federal law by 2014, to cover, under our Medicaid program or a similar program, all persons who earned up to 133 percent of the poverty level.

Now our Husky programs basically cover children if you go Husky A and B, cover children -- really all children depending upon whether or not the parents can afford to pay for it. But it covers adults, I believe, up to 185 percent of poverty so already the adults who have children in their families are covered under Husky.

I believe the federal program will impact individuals who earn up to 133 percent of poverty and are not part of families wherein we would find children.

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Senator Kissel.

SENATOR KISSEL:

Thank you very much. And -- and I appreciate that and just the answer to the question sort of leads me to another question because it does seem a bit complicated and I will be the first to admit that even watching the -- the news shows and listening to members of Congress respond to questions regarding the -- the healthcare reform bill that there seems to be a little bit of confusion as to exactly what's in there. Clearly it's hundreds and hundreds of pages of very technical language. It's supposed to address one sixth of our economy. It will reach out and not only affect the private sector but, to the extent, eventually it will affect everybody including folks involved in the public sector and my guess is that it will affect all the safety net programs out there that have to do with the provision of healthcare, whether for adults or for children.

And so I'm just wondering, we still have about five or six weeks to go in this session should we conclude in the first week of May as is our targeted deadline and I'm just wondering if anybody -- if you ask -- through you, Mr. President, if the leadership

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of the Appropriations Committee or anybody else that Senator Harp may be aware of have asked any of our folks like at legislative research or someplace like that to look into the issue as to the impact of the federal healthcare bill and its impact on the provision of medical support services for people throughout the State of Connecticut.

Through you, Mr. President.

SENATOR HARP:

Through you, Mr. President, yes.

THE CHAIR:

Thank you, Senator Harp.

Senator Kissel.

SENATOR KISSEL:

And through you, Mr. President, I'm just wondering what specific questions were asked or where we could find those and if there's an anticipated date as to when that report might be available to members of the legislature.

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Mr. President, we ask



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the question -- specifically a similar question to yours about the impact of the health bill on any health matters that we may be considering this session and we have gotten partial information because, as you indicated, the bill is a very long, very complex and so we have members of both the Office of Fiscal Analysis as well as the Office of Legislative Research currently researching the bill.

Talking to the offices of our representatives in Washington, to the Senators for Medicare and Medicaid services in Baltimore, to try to ascertain the impact of this bill on this session as well as the next fiscal year.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much and I believe in response to that question Senator Harp indicated that they had received a partial response and I'm still unclear -- first of all as to the partial response, has that information been shared with members of the minority party? And two when is it anticipated that a full response might be available to members of the legislature, both majority party and minority party?

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Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Mr. President, since the Office of Fiscal Analysis and the Office of Legislative Research are nonpartisan and since this is a major area that impacts both the policies at the -- at our state, I would assume that similar questions were asked by -- by parties other than myself, both Democrat and Republican and that both offices because -- one, because they want to be prepared to answer the question, are in the process of doing it now.

As I said before, preliminary information is available and because there isn't more in-depth information available to us now, it's simply because the information is not available. But the information is available now such that we know and understand it and it will -- I guess they will develop more in-depth information as it becomes available.

Certainly the bill is available to read now but understanding the overall impact of the bill requires understanding of the development of regulations and it's my understanding that you may even be on our

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regulations committee here at the legislature so you have first-hand knowledge of how often it takes, sometimes even years to develop regulations that implement various bills and for a bill that is over a thousand pages long I -- making massive changes to our healthcare delivery system of our country one could imagine that the regulations that will give depth to the meaning of the actual 1,000 page plus bill might take some time.

So I can't -- I wish I could -- but I can't tell you exactly when it will be that those regulations will be finished so that our staff can provide the most in-depth analysis of their impact on our state. But what I can tell you is that as information becomes available, it is available to both Democrats and Republicans in the Senate and Democrats and Republicans in the House.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much and I -- I appreciate that response. Currently I don't serve on the legislature's regulations review committee but once upon a time I did and -- and it -- and you're exactly

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correct and Senator Harp you have a -- a sharp memory that is for sure and it certainly does take an extraordinarily long time for different state agencies to prom -- promulgate regulations and it's not even as if that's the end of the process because then those regulations have to be vetted and reviewed and sometimes agencies miss the mark and they have to be sent back.

Currently I would guess, my -- my brief understanding of the federal law that just passed is that an awful lot of authority is vested in the, I believe, Secretary of Health and Human Services, I believe that's Ms. Sebelius at this point in time, but there's a lot of unanswered questions which actually there needs to be a determination and -- and I'm guessing that the Secretary would not herself make those determinations but would have to seek out assistance from experts in the field and experts within the health and human services area.

If the -- and that's the name that I remember it as. They may have changed the name along the way because federal agencies do sort of morph over time but my understanding is an awful lot of latitude has been granted to the leaders of that and so, above and

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beyond the promulgation of regulations, I think sort of a direction would have to be set by the Secretary, so I -- I very much appreciate that.

Moving along to section 10 of the bill before us, I'm -- I'm noting at the outset that there's section b in its entirety seems to be stricken from our underlying set of statutes and I'm just wondering what the import of striking the entire subsection b would be?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Mr. President, I believe that this section eliminates the requirement that the state pay certain attorney fees for individuals appealing the Social Security income eligibility determinations.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. And -- and I mean is this provision regarding attorneys fees currently used a lot and are there folks out there that perhaps

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attorneys and not-for-profits or legal aid, the ones that might feel this cutback because it essentially goes to their ability to earn a living doing this and, therefore, this wouldn't -- these actions probably wouldn't even more forward?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, Mr. President.

THE CHAIR:

You're welcome.

SENATOR HARP:

We did have a public hearing on this bill and we heard from various attorneys throughout the state that this would represent a hardship for them.

Through you, sir, I don't know if that answers his question or not but that's pretty much what we heard at the public hearing.

THE CHAIR:

.Senator Kissel.

SENATOR KISSEL:

Yes that -- that does answer my question regarding subsection b. Now I just would like to move

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up to subsection a and it talks about recipients of general assistance or -- and now we're adding in or persons receiving aid under both the Social Security disability income program and the state supplemental -- state's supplement to the federal supplemental security income program and just as -- for a point of legislative history the way I read that is that an individual would either be -- that first part just a recipient of general assistance and this new language would add a person that would have to receive both Social Security disability income and state supplement to -- supplemental security income to be brought under the agis or -- or authority of this program.

Is that the way my colleague, Senator Harp, reads it as well?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, it does say and so I would assume that that meant both.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

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Thank you very much. And it just strikes me that it might be a -- a fairly small group of individuals that would be receiving aid under both Social Security disability income program and federal supplement -- supplemental security income program and I'm just wondering -- I -- I can't recall a public hearing when I sat for many, many years as a ranking senator on the Human Services Committee having this issue come before us but it just strikes me that the pool of individuals that would qualify for both of these programs and be participating in both of these programs is probably substantially smaller than if one took a group of people in one of these programs and added it to with a group of people under one of the other programs.

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Mr. President, I don't disagree with his calculation.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:



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Thank you very much.

Now moving along to section 11, what I see here is that there seems to be a change of dates whereas there's a shift from June 2011, and I'm referring to subsection d in lines 210 through 215 -- excuse me -- and in line 212 the date is -- that's being eliminated is June 2011 and then being inserted thereof is April 2010, which is right around the corner, about five or six days from now, and then the other date that's being eliminated is July 31st, 2011 and being inserted there -- therein is May 31st, 2010 and I'm just wondering what the consequences of those dates -- date changes might have on the current fiscal year's deficit.

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much. I -- I think that the answer to this question is actually in the fiscal note and, through you, Mr. President, if you don't mind I'll read it. It says section 11 delays the April 2010 Husky managed care organization payment until May 2010. This results in a one-time savings, and I think

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this is the key, a one-time savings of \$67 million due to the 61.5 percent federal reimbursement currently available under the Medicaid program. This change will result in a net savings of \$25.7 million in fiscal year '10.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. So just to be clear, there is a substantial savings I believe immediately that could be applied towards our current fiscal year's deficit and I was a little confused. It appeared that it it went I'm again -- I'm -- I actually am confused for fiscal year 2011, if there's any savings at all or if the savings is far less going forward than the -- than the initial savings realized currently.

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, I believe that the movement of the -- the dollars is to assure that the state get the benefit of the enhanced federal match of

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the 61.5 percent ARRA federal reimbursement and it ultimately is a net savings of \$25.7 million in fiscal year '10.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much.

Okay so there's approximately \$25 million of savings that will be realized in the current fiscal year and does that carry forward to the following fiscal years or is that just now since I -- I remember the language one time savings? Are we just pushing it up but it continues to flow thereafter or is this just a one shot deal in this current fiscal year and it's not going to be realized in fiscal year 2011?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, it is a one shot deal.

THE CHAIR:

Thank you, ma'am.

Senator Kissel.

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SENATOR KISSEL:

Thank you very much and I just want to thank Senator Harp for her answers regarding those questions. The bill is now much clearer to me and I believe most everybody else in the Circle as well.

Thank you, Mr. President.

THE CHAIR:

Thank you.

Will you remark further on Senate Amendment A?

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President.

Mr. President, I would like to direct a couple of questions to Senator Harp if I might.

THE CHAIR:

Senator Harp.

SENATOR DeFRONZO:

I just want to put this in -- in correct context here. We are debating the Governor's budget bill at the moment, are we not?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

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Yes we are, sir.

Through you.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President. And I know the Governor is out of state on vacation and has not been directly involved in these -- these discussions but I do have a couple of questions.

Previous speakers tonight have indicated that they believe that this bill moves the state in the right direction and I just want to highlight a couple of points through these questions to you to perhaps illustrate the fact that that is not the case.

So through you, Mr. President, I'd like to direct your attention first to section 2c of the bill before us in which the Governor is proposing a \$12 million cut to the Citizens Election Fund. Now it's my understanding, Senator Harp, that the current -- current funding level in that fund is about \$43 million. That it is estimated that the cost of running the next cycle of funding through the public financing would be about \$35 to \$37 million so isn't it quite probable that a \$12 million cut in the

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Citizens Election Fund, through you, Mr. President, might result in an actual gutting of that system?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, I believe that it has been represented to the Appropriations Committee in public hearing that the \$12 million will decimate the Citizens Election Fund and the public funding of elections given that this particular year will be a year in which constitutional officers run.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President.

And thank you, Senator Harp. And to me that's an appalling proposal since the campaign reforms of the post Rowland era embodied most directly in the Citizens Election Fund and this proposal represents a rollback, a retreat, from those reforms.

Through you, Mr. President, I have another question and if I might, through you, Mr. President, direct Senator Harp's attention to section 2e of the bill and through you, Mr. President, Senator Harp this

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-- this section of the bill deals with the transfer of funds from the Stem Cell Research trust fund to the general fund and, Mr. President, my question is I would like Senator Harp to comment on the impact of such a transfer with respect to the good work and progress that the Stem Cell Research fund has made in the State of Connecticut.

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, when we heard the Governor's mitigation bill and we heard both members of the staff from the UConn research area that was researching using the stem cell lines to do research as well as Yale University's researchers, one of the things that really struck me as something that the state could be proud of was the investment that they made in the stem cell research apparatus of our state. The few dollars that we -- the \$10 million a year that both universities count on has actually generated hundreds of millions of dollars of capital expenditures as well as matching dollars from NIH and other research organizations to begin and to develop

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our research program which is very promising in spite of the fact that we have only committed to \$100 million investment in stem cell research.

Our state, because we invested early, was able to help these higher education units generate funds beyond states that invested far more dollars so that we are ahead of many other states. One of the things that was brought to our attention is that, if we continue even to put these kinds of things in packages, that we begin to erode the progress that we have made in this area.

And you know the thing that makes it so exciting is that this is the wave of the future. This is where our future growth can occur but the constant battling with getting the dollars to continue our support and resor -- support for this research is undermining where we can go and our leadership. As a matter of fact we were told during public hearing that there is certain faculty that we're trying to attract that have begun to be concerned about Connecticut's commitment to -- to this area and are looking at other areas.

So that I think that by having these kinds of things in bills, even if we don't ultimately pass them, impacts growth in this area which is a future



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growth I believe that impacts the -- the economic viability of our state.

Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President.

And I appreciate that answer and I -- I hope members of the Circle take that to heart because when we passed the Stem Cell Research program it was a signature item for the State of Connecticut in terms of not only healthcare advancement but also in terms of an investment in economic opportunity and -- and progress for the State of Connecticut and I think that proposal from Governor Rell is a particularly bad one and that it turns the clock back on that item as well.

Mr. President, I have another question pertaining to section 24 of the Governor's bill. And through you, Mr. President, Senator Harp section 24 would require an increase in the monthly copayment for Medicare Part D drugs for our senior citizens. And as I read this section, it is a 33 percent increase and, through you, Mr. President, I would ask if I might Senator Harp to comment on the extent of that -- of

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the impact on our senior citizens that this proposal might have.

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Mr. President, again during our public hearing on this matter we had many seniors and people who were chronically ill on multiple medications indicate that the \$15 -- the \$15 co-pay under Medicare Part D which we just instituted in this biennial budget presented a hardship and so the \$20 increase was something that they really felt that they couldn't countenance.

Many with the \$15 co-pay, because remember these are very, very poor people and \$15 to you and me means one thing but if you are very low income, have to pay for your housing and your transportation, \$15 becomes a lot of money and many of them testified that they sometimes couldn't afford to get their drugs because they just didn't have the \$15 co-pay to get all of the drugs that they needed.

And you know most of us think oh we're relatively healthy even if we're not young. Many of these people

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are on four and five different prescription medications and really said to us that they had to weigh and measure which ones they actually were able to get based upon that co-pay. So a \$5 increase I think would just exacerbate that problem.

THE CHAIR:

Senator DeFronzo.

THE CHAIR:

Thank you, Mr. President.

And again I -- I concur with -- with your comments, Senator, in that I think that is a particularly ill-advised recommendation from the Governor also.

And finally, Mr. President, I wanted to raise a question about section 39 of the bill which deals with the Governor's proposal to cut municipal aid by \$45 million and through you, Mr. President, it appears that the Governor is not very specific about her cuts other than the aggregate number of \$45 million and through you, Mr. President, I would like to ask Senator Harp whether the administration has indicated exactly where those cuts might fall?

Through you, Mr. President.

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Senator Harp.

SENATOR HARP:

Through you, Mr. President, actually it's probably a really simple answer. No, there was testimony during our hearing on the bill that the administration would like to sit down with us and figure it out. So that there is no real clear indication as to whether it will come out of education that we don't have to maintain the effort for under the ARRA or federal stimulus legislation or it will be the various pilots that we have, payment in lieu of taxes that we give to our municipalities. There are other types of municipal funding but there seemed not to be a clear idea but there did seem to be a willingness to sit down with the legislative branch to collectively make a decision around where the \$45 million would come from.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President.

Senator, and through you, Mr. President, just to follow up on that. We've heard a lot this session about mandates on municipalities and many members of

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this Circle and the House have staked out positions opposed to any type of mandate legislation -- municipal mandate legislation. It strikes me very peculiar that a proposal -- a \$45 million cut in municipal aid might be proposed in this context knowing that probably more directly than any other mandate that we've talked about here that a -- that a funding cut would -- would essentially be a mandate for reduced funding to our municipalities.

And, through you, Mr. President, I just want to ask Senator Harp whether she or members of the Appropriations Committee might view a proposal of this type in that -- in that way.

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, certainly I think that there is merit to viewing it in that way and one of the things that we did do on Appropriations was -- because there were -- in -- in the plan a series of mandates that were to be relieved and what we wondered was whether or not those mandates would amount to -- by relieving them would amount to \$45

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million. And so the Office of Fiscal Analysis is presently trying to determine whether or not, in fact, they would amount to that dollar amount.

When we last looked at that issue, it -- it didn't appear that they would but I believe that they're still working on that, sir.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President.

I just want to add there that just taking a rough look at these numbers and trying to compute them against our property tax mill rates in the towns that I represent, these -- these types of shifting of fiscal responsibility from the state government to local government would probably result in a one or two mill increase in each of my municipalities that I represent and I'm not -- not -- wouldn't be surprised if that weren't the case throughout the entire state.

So I think that's a particularly serious proposal which jeopardizes a lot of the good work done by our municipal leaders.

Thank -- thank you, Senator Harp, for those answers and I just want to conclude by saying that

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there are -- there are many other aspects of this proposal that I am -- I am concerned about but the ones that I've just highlighted now in my questioning with Senator Harp, particularly, and let me just restate them quickly, the turning the clock back on our outstanding stem cell research program, the repudiation of our ethics reforms and campaign finance, the imposition of new burdens on our senior citizens through the Medicaid Part D drug program and the imposition of a \$45 million increase in tax burden on our local taxpayers should be reason enough to defeat this proposal.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator Harp.

SENATOR HARP: SENATOR HARP:

Thank you.

I just wanted to ask that when the vote be taken it be taken by roll.

THE CHAIR:

Roll call will be ordered.

Will you remark further on Senate A?

Senator Frantz.

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SENATOR FRANTZ:

Thanks, Mr. President.

Again I -- I find myself thinking that is a -- a sad day -- another sad day for Connecticut unfortunately because here we are with only three months and a week or so left in this fiscal year and we're having to look at a deficit mitigation plan that was called for many months ago. In fact it was called for in principle and in concept as much as a year and a half, if not even two years ago before many of us took office last year in 2009.

The way it works in the private sector, the way it works for families, the way it works for individuals who are financially rational, whenever they know they're going into a difficult period what they do is they prepare for it, they plan for it. They save as much as they possibly can, cut back on consumption wherever there's structural spending. You -- you somehow do everything you possibly can to get that structural spending under control or eliminate it in anticipation of some very bad times, very lean times just like we've seen in the State of Connecticut.

And I can tell you after working for so many



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years in economic development trying to recruit companies to come to the State of Connecticut to bring their families, to -- to bring employees from other locations to -- to come to Connecticut to support the tax base and -- and to, yes, pay their tax revenues to the State of Connecticut, it's become an almost impossible thing to do because one of the first questions that comes out of the mouth of the decision-makers is what's the fiscal house look like in the State of Connecticut. Are there rational people running that place? What's going to happen to tax revenue -- to tax rates in the future? How can I have a -- a certain sense of predictability?

Connecticut we know used to be a great state. In fact it used to be one of the shining stars in terms of manufacturing, aerospace, defense. I don't know what the number -- total number of jobs is in manufacturing that we've lost but it's got to be at least 160 to 180,000. Our population has been flat and we know that the demographics of that population has changed over the last 15 to 20 years in a very significant way.

We're loosing what has been so great about this state, we're loosing our ingenuity. We're loosing our

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-- our intelligence. We're loosing those who know how to start a business, how to run a business, how to bring a business here and employ people and to very importantly continue to grow the tax base so that we can pay for -- for a state government here and so we can take care of those who are in need in the State of Connecticut.

We are unfortunately almost done with this fiscal year, knowing full well that for a long -- knowing full well for a long time that we would be in very difficult circumstances and we didn't do anything about it so we're faced with having to look at a deficit mitigation plan here tonight, the Governor's one, in this case, as an amendment to the bill.

And while there are a lot of good points to this -- to this deficit mitigation plan, given where we are today and given the circumstances that we face, there are some things that I don't like about it. I know there are some things that you don't like about it either.

And one is, in particular, is the -- is the hospital tax which hopefully we'll get a chance to, at some point during this deliberation tonight or in the future, be able to change it or amend it out but I do

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have a question for the proponent of the amendment.

Through you, Mr. President.

THE CHAIR:

Senator Harp.

Senator Frantz.

SENATOR FRANTZ:

Thank you.

Through you, Mr. President, Senator Harp, if you could explain exactly how the hospital tax works from a mechanical point of view. I -- I think I understand how it works and that's why I think I really don't like it but if you could clarify exactly how that works that would be a great help.

Thank you.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, I'll give it a shot. It's rather complex and in order for you to really understand it you have to kind of have a way of thinking visually. And the first thing that you have to understand is that this is all about Medicaid.

So Medicaid is a federal program and when we agree to take Medicaid -- to provide Medicaid to our

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constituents -- to our -- the residents of our state, then we agree to a certain set of services that exist. Within the context of those services that exist, there's an understanding that oftentimes Medicaid rates are lower. I think they're required to be lower by federal law, than usual and customary charges or even commercial rates.

They're required to be lower than -- slightly lower than I believe even Medicare rates. So you start out with the federal government saying that these rates can't ever be at the same level as commercial rates. So what does the federal government do in order to offset the fact that they've already said to you you've got to care for our people for less than what your costs are going to be, or at least less than what your rate structure normally is with -- so we assume it's their cost.

It gives you -- and for hospitals in particular it recognizes that most states require that anyone who comes into a hospital for an emergent visit, based upon federal law as well but also our state laws and our state licensure laws, that these folks have got to be seen and have got to be treated. We call that uncompensated care if these people are poor and have

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no insurance; they're not on Medicaid.

And so basically what Medicaid does is give a certain amount of dollars for each state -- assess this amount of dollars that each state is entitled to to offset its uncompensated care. Now we call those dish -- disproportionate share payments or DSH payments. Now -- okay so you -- you understand that we -- you understand the fact that we can't charge commercial rates, that they have to be at or below Medicare rates and that there is a requirement for hospitals to -- to take all comers particularly if it's an emergency visit.

And so in the federal government's effort to offset that because we're partners typically with the federal government in this program and -- and prior to this economic downturn we were 50/50 partnership, what we were able to do is to take this square of dollars that offset this cost for uncompensated care -- we would pay half and then the federal government would pay the other half. But since we're now in this enhanced federal rate time, we're not paying half anymore. The federal government says we recognize states that you're having a rough time and so we're going to pay 61 percent to you Connecticut, it's

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different for each state, instead of the -- the 50 percent that we used to pay.

So you sort of start out recognizing that we're getting a little bit more from the federal government than we used to get. Now we have a little more than \$47 million in our uncompensated care pool and basically what we do with those dollars is, by formula based upon the number of Medicaid patients a hospital sees, SAGA patients which are even less than Medicaid as well as the free care and the unpaid care, based upon that, each hospital has to indicate how much of that they do each year, we send that \$47 million through that formula and each state gets their proportion based upon the number of those types of people that they see.

Now that \$47 million isn't all that we have that we could do but that's all that we're willing as a state to pay for. There's another about \$64.7 million out there that we could actually grasp if we were willing to do that. So my understanding of the Governor's tax proposal, and I think that's what you're asking, is that she is taxing the hospital -- she is giving the hospital a gross earnings tax of 3.25 percent on their what I would call their -- their

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taxable revenue and that taxable revenue is mostly their commercial revenue minus their Medicare which we have nothing to do with, that's a federal program.

The Medicaid which of course we -- we're partners with and the SAGA which we pay for 100 percent as -- in terms of rates, it's a state only program and so once you take all of that out, then you can apply the 3.25 percent to the -- the hospitals. That will get you -- that will raise twice that amount, it will raise about \$129 million. The 60 -- those dollars will then be recirculated back in. Once they're recirculated back into the hospital system, we will get half of that back which is the 64.7 and that can go into our general fund.

So we're basically sharing with the hospitals; we're taxing them, giving the money back to the system, not to the individual hospitals, and getting the federal reimbursement that comes from us giving those dollars back to the State of Connecticut. That's how I understand the Governor's taxing program on our hospitals.

The other thing to remember, through you, sir, is that the federal government doesn't -- says that you can't even this out. There has to be a certain

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percentage of winners and losers and typically the number of winners can only be 75 percent and the number of losers has to be 25 percent. We hear through the grapevine that CMS, because of these difficult economic times, is considering allowing the number of losers to be 10 percent which means the number of winners can be 90 percent.

So that's my understanding of the way in which the Governor's tax proposal works. I may have made a few mistakes but I think that gives you the general gist of -- of how it is that we can do this and how it is that we can refund the hospital system and then also get from our funding that federal reimbursement that can go into the general fund.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Okay. Through you, Mr. President, thank you, Senator Harp, for that thorough explanation of -- of how it works. I'm not sure I like that that much but I do appreciate it and that's all I have.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.



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Will you remark further?

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

First of all I -- I appreciate Senator Harp's description. Going back to Senator Kissel's comments about being the ranking member on the Human Services Committee and now I'm sitting on that same seat, it is very complicated so I appreciate that explanation.

And I was going to ask a couple more questions on it if I might because it is extremely complex as you had mentioned so, through you, Mr. President, if I -- if I might ask a couple more questions if I could.

THE CHAIR:

Please proceed, sir.

SENATOR KANE:

I think you mentioned, Senator Harp, that this is a tax based on gross revenues, is that true?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, Mr. President.

Through you, I'm just reading the fiscal note.

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Here's what -- can I read to you what the fiscal note says so I just figure that the terminology that is used here is appropriate. It says that it's a hospital growth earnings tax of 3.25 percent and then based upon -- it says based on the definitions of gross earnings used in prior applications of this tax, it is anticipated that blah blah blah -- excuse me, sir --

THE CHAIR:

That's quite all right. Your blah blah blah is fine.

SENATOR KANE:

It's like a Seinfeld episode with the Yada Yada Yada.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

The reason I ask is I -- I believe you have a chart and I think everyone has this chart from OFA and it talks about net patient revenues so that's where I'm -- I'm a little confused. I understand we're looking at revenue minus the Medicaid portion, I believe, and then we come up with the figure. I'm

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just questioning why this has net revenue on the  
left-hand column.

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you.

I think the -- that the way that we're thinking  
about gross revenue in the fiscal note is really kind  
of taking -- it's net -- it is net revenue too because  
you've got to take out the -- the federal and the  
state healthcare programs that fund hospitals and so  
that what makes it net.

SENATOR KANE:

Okay.

SENATOR HARP:

So I think that the technical definition is  
probably in the fiscal note but in the paper that we  
have that describes this it's net because it makes it  
really clear that the tax rate is against the revenues  
after you've taken out Medicare and Medicaid and SAGA.

THE CHAIR:

Senator Kane.

SENATOR KANE:

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Thank you, Mr. President.

That's -- well I guess that's where my confusion lies because the left-hand column has net revenue then it looks like they back out the Medicare/Medicaid and SAGA to come up with another taxable revenue figure and -- and I guess that's where my confusion is but that's -- that's okay.

I -- I guess my -- my more immediate questions are in regard to the history of this tax proposal. I believe the State of Connecticut had this in place a number of years ago. Can you -- can you speak to that at all?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you.

Through you, Mr. President, I guess you can tell that I'm old but truthfully yes. When I first came to the legislature we were actually -- had a -- a tax like this in place and I think that was in the -- the early 90's.

THE CHAIR:

Senator Kane.

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SENATOR KANE:

Thank you, Mr. President.

No, not old but knowledgeable so I figured you're the right person to ask the question. That tax was then repealed, was it not?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Mr. President.

I, through you, my memory that the tax came into play right around the time when we were experiencing a negative economy as we are now but then as we began to get surpluses in our revenues and when we received a reduction in our DSH pool, the pool that -- the pool that we were talking about that we taxed against, we eliminated the tax.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

So this proposal is nothing new, it's something that helped us get out of a fiscal situation previously so it's something that has been done

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previously, there's a precedent set I guess, there's some history behind it. So that's what I -- I guess I was getting at is to see that -- that is has been used before in -- in such a fiscal situation.

One last question, through you, Mr. President, is this similar in nature to the tax I believe we put on providers like nursing homes and -- and that kind of thing? Is that the same thing?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

Through you, Mr. President, it -- it's the same mechanism, yes.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

And that is still in place or -- or no longer in place? I hate to have you get up and down but --

THE CHAIR:

Senator Harp.

SENATOR HARP:

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Thank you very much.

It's still in place.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Okay.

Thank you, Mr. President.

I -- I thank Senator Harp for her answers. It helps me understand this a -- a great deal more. It is very complex as you already mentioned and being on the Human Services Committee it -- it -- we never stop learning about this stuff on a continual basis.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark? Will you remark further?

Senator LeBeau.

SENATOR LeBEAU:

Thank you, Mr. President.

A few brief remarks. I want to first of all thank the Chairman of the Appropriations Committee both for her experience and her tremendous knowledge on all of these programs. It's frankly quite astounding. I also want to thank the chairman of the

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Appropriations Committee and Senator DeFronzo for the colloque that they had earlier this evening in which Senator DeFronzo pointed out some of the problems with the bill, the amendment that we currently have in front of us.

And -- and I think, you know, that it's -- it's difficult for me, having served and trying to get the Citizens Election Fund established and try to clean up our elections in the State of Connecticut and to clean up some of the problems we had that were associated with a former Governor to then come back and then tear the guts out of this -- out of this or tear an important part out of this program that we established.

But even more so the stem cell research fund has been a very important program and as cited -- without going through the -- the -- all the -- all the facts that were cited earlier by the Appropriations Chair, Senator Harp, that's \$10 million a year but it yields tens of millions of dollars -- of new dollars coming into the state from outside sources, from research and we talk about -- in -- in Economic Development we talk about multipliers. Here we're multiplying the money directly and then multiplying the jobs in back of that



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to say -- and as -- as she also pointed out this is  
tomor -- this is an industry of tomorrow. This is --  
this is the -- the high -- kind of high tech, high  
innovation industry that is going -- in the -- in the  
health field that is going to be helping create  
tomorrow's jobs.

In talking about healthcare, the seniors  
healthcare is important to us and we see loses in this  
bill or this amendment -- the Governor's amendment in  
that area and also the -- so many seniors are also  
affected by -- or would be affected by a decrease in  
municipal aid. That would directly raise their  
property taxes.

So I want to thank the Senators for their  
collogue to point those weaknesses of this amendment  
out and to encourage a no vote on the amendment.

Thank you.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

Mr. President, I know it's late in the evening  
but there have been many observations throughout the  
state, both by business councils, particularly one in

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lower Fairfield County that remarked recently what the recession has done is to unmask the structural imbalance in Connecticut's fiscal policies that have been building for years.

We also have heard from some leader reporters like Chris Powell of the Journal Inquirer who has written that Connecticut is collapsing under the weight of a government that has grown all out of proportion to the state's long-standing and long stagnant population and job growth.

These statements highlight the problem that we find ourselves in and why we're even discussing anything so (inaudible) at this point of the degree that we are because of the inaction or unwillingness to address this problem 18 months to two years ago when we could actually have done something that wasn't as painful as this.

There's been some wonderful descriptions of some programs that some of us voted for when we were in the House of Representatives supported it greatly, whether it's the Citizen Election Fund or the stem cell research account, something that we highly support but now find ourselves in a predicament where the public is demanding that yes we do make some painful cuts.

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One of the ones that is of most concern, of course, is cuts to municipal aid. But I understand that this particular mitigation plan included originally some really good proposals for mandate release that our towns and cities were asking that could offset, if not more than offset, some of the reductions that we might be seeing tonight.

For example the allowing of the transmittal of certain required information to state agencies electronically or to have -- eliminate the municipal requirement to store possessions of evicted tenants or postpone the requirement for in-school suspension or look at change the age or modify troubled damages regarding zoning enforcement offices issuance of zoning.

I mean there's a long laundry list here. Quite a number of education mandates as well as some modifications to our binding arbitration process and allowing our local municipalities to have some of the same flexibility that our state system has about allowing the power of the local legislative bodies to reject an arbitrated award by two-thirds vote. Tremendous number of -- of possibilities here that would more than offset any costs imbedded in this.

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And I guess my question to the proponent of this bill if it's not too much of an imposition and too late at night to ask if any of these, and why if not, any of these possible mandate reliefs were not imbedded in this mitigation plan that we see before us that were a part of this package originally.

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, I believe that many of the mandated items have gone through the Planning and Development Committee and were referred to those committees and we will see them later as bills.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

I'm -- I'm very pleased to hear that response because it does show a good spirit of bipartisan cooperation as we try to work ourselves through this very, very difficult process. The public wants us to work together and bring good ideas together and -- and, in fact, if that is indeed the case, then it may

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very well be that a delay of in-school suspension which is estimated at a savings of nearly \$9 million in new costs from this mandate could be alleviated as well as the potential for the removal of possessions of evicted tenants that could save about \$3 million and so on and if those, in fact, do come to fruition, then this mitigation plan is not as onerous as was maybe portrayed here this evening and working together with ideas from the Governor's office, some ideas from the majority party and some good ideas on the part of the minority party we could actually come to a resolution instead of the stalemate that seems to have permeated both the House and the Senate.

Our public expects better of us and I hope that maybe by -- maybe moving this particular bill along tonight and, if not this then another, that we can actually come to a resolution because we really only have a month and a half to our legislative session, not three months to the end of June but, in fact, just a month and a half and it's a short time we have and time is wasting. The public is waiting.

So I'm pleased to see that we are discussing this bill and there's some things in here that we could support, maybe some that we can't, but I think it's

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important to move and make a step to move this forward  
this evening.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Boucher.

Will you remark further?

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

Through you, if I may, a question to the  
proponent of the amendment.

THE CHAIR:

Senator Harp.

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

And certainly there is something sacrosanct about  
the right to vote which each of us holds but I'm at  
the risk of putting Senator Harp on the spot.

Through you, Mr. President, does Senator Harp  
intend to vote in favor of the amendment that she's  
brought out?

Through you, Mr. President to Senator Harp.

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Senator Harp.

SENATOR HARP:

Thank you.

Through you, Mr. President, I brought the amendment out so that we could debate it so that it could have an opportunity to be debated and discussed in this Chamber but not necessarily did I bring it out so that I would vote in favor of it.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

I will the suspense will eat me alive but I will wait until I look up on the board to see what Senator Harp might ultimately do. If I were to hazard a guess, I would guess that Senator Harp is not likely to vote in favor of the amendment that she's bringing out and that doesn't surprise me.

I tell my constituents back home once the Governor puts out a mitigation plan my phone rings and I say to my constituents you really need to reach out to the majority party and the legislature because, at the end of the day, it is their opinion that's going to matter more than the Governor's opinion. And, Mr.

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President, I know that leaders on our side of the aisle have written to the majority party saying please let's work together. This -- what we confront here in the State of Connecticut is bigger than partisan politics. It calls upon all of us to appeal to our best instincts and work together to come up with a solution.

Mr. President, sadly that outreach has gone unheeded and the majority party has apparently retreated into their chambers to come up with what they think is the best solution. The reason I ask Senator Harp is whether she's going to vote in favor of this amendment is because I -- I believe this amendment will fail resoundingly and we're spending a lot of time in the middle of the night to prove a point, exactly what that point is I'm not sure.

Mr. President, I want an option to be put before this body that can receive unanimous support and the exercise that we go through this evening I don't think it's fruitful, I don't think it's instructive and I think the people of Connecticut deserve a lot better from us.

There's a lot of stuff in the Governor's mitigation plan which, quite frankly, I don't like and



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I hope we'll have an opportunity later this evening to debate a plan which I do like. But we've got -- we've got to do something and when the options put before you are all unappetizing, you can't not eat and, for that reason, Mr. President, I except that I'll be supporting this amendment, not because I'm enamored of all that it contains but rather because the options have been so circumscribed that that's all we have.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

Mr. President, I am rising in support of the Governor's plan that we have before us as an amendment and Mr. President let me tell you why. This is leadership. Governor Rell has, on numerous occasions, brought to the majority party resolution after resolution, mitigation plan after mitigation plan, all of which were either accepted in part but certainly not in whole and that starts way back in 2008, Mr. President.

And every time the plans have been brought

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forward, in fact there were folks in this building saying, Governor why are you yelling the sky is falling, why are you saying that. That's not true. We don't have to hold back, we're doing fine here in Connecticut. But Governor Rell knew we weren't and her warning signs were ignored time and time again. Her mitigation plans were adopted in half course, in half measure, and every time there was some corrective action, the majority party overrode her corrective action.

So yet again today she puts out a plan, March 1st I should say, she puts out a plan. Is it a perfect plan? No. Is it a plan that I think is perfect? No. Can we make it better? Yes.

Now Senator Roraback makes a suggestion that the majority party is doing this for reasons to bring it up without advancing the cause. I believe we're doing this for reasons to advance the cause. I think the majority party is going to approve this amendment and I think once it's approve we can do the amendments that we have filed to make this better and make this a better bill because I cannot believe that we are here at quarter to three in the morning debating a bill, an amendment that's brought up at, I think it was 12:30

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when we began, for the sole purpose of taking two and a half hours to have it be defeated.

And they all know that there's an E-Cert bill pending in the wings of this -- of this dome someplace that they're going to be bringing up -- the majority party is going to bring up to the table that they apparently have and they're going to vote on and I get that but I cannot believe this bill is being brought up for the sole purpose of having a defeated vote. I gotta believe it's being brought up so that we could take the bill and perhaps we can amend it because -- amend it because we have other amendments that deal with the issues that some of us find troubling and make it a better bill and pass it. That's gotta be the reason.

So, Mr. President, although I may not agree that we are putting this bill in front of this body as was said by one of our members awhile ago when there was a democratic budget brought up and it went down 36 nothing and somebody in the building said I cannot believe for the purpose of knocking it out we brought and argued over a budget bill; same reason exists here today.

Mr. President, I also want to talk a little bit

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about the merits of the bill. It was suggested that the cutting of municipal aid of \$45 million was something we shouldn't do. I tend to agree with that -- tend to agree with that. But the majority party passed a bill in August/September that cut \$48 million of municipal aid. Not only did it cut the \$48 million, it cut it mid-year so, in other words, the town said we're getting X number of dollars in municipal aid and the majority party mid-year said we're not going to give you all the money we promised.

The Governor's bill doesn't do that. The Governor's bill says in 2011 plan for it, you're going to get \$48 million less so plan for it. It's tough out there. Everybody's taking a hit. It's tough out there. So to say that this body shouldn't approve it for that simple reason is disingenuous to the reason why this budget was approved by the majority party back in August.

On the Citizen Election Fund, what citizen election fund are we actually funding? The court has found our rules unconstitutional. There are two bills pending in GAE. The Senate bill even says, you know what, when it comes to Senate and Representatives, they're not going to participate in that fund. We're

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not going to do it for them. Well if the Senate, this Chamber, honestly believes that is the best proposal going forward for the Senate, then I would believe there's got to be money we can take out of there because we're not funding the seats you see in this Chamber or the seats downstairs.

So there's got to be extra money. So what's the point of having it in there if the legislature and the Senate is saying we're going to exclude, coming up in 2010, Senate and Representatives. That means there's more money there than what we need.

You know, Mr. President, when we go back and talk about this budget bill, the Governor has increased taxes 64 -- \$64 million -- \$64.7 million and that's basically the hospital tax in the second year. There's \$201 million worth of cuts and \$58,000 -- \$58 million worth of sweeps and other types of revenue. The cuts is what really makes this bill important.

Just today in the New Haven Register jobless rate kicks up to 9.1 percent, 9.1 percent. In North Haven yesterday -- or now it's today I guess -- it was announced at 3:30 that Marlin Firearms that's been there for 250 years, or some ridiculous amount of time like that, is closing down and 265 jobs are going to

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be gone by January 1, 2011. So I decided to find out why were they going to close Marlin Firearms. Why -- what was the problem? The reason I was given at first was it's expensive to do business in the State of Connecticut, but I'll tell you what was the most important thing they said, we're closing down Marlin Firearms so we could expand.

I didn't understand that and I asked them to explain it and this is their explanation. For what it costs to run a business in North Haven, Connecticut or in Connecticut we could run the same business in a larger plant with more employees in North Carolina. So literally they closed the plant in North Haven to open up a bigger plant with more employees down south. So they really closed up North Haven to expand.

If that doesn't send a signal that we are in the wrong ballgame to get businesses I don't know what else does. Two years ago, Quebecor, which was a huge company -- printing company closed in North Haven. We need cuts. We don't need taxes. Unemployment rate 9.1 percent, we all know what it means in this Chamber. There's a bill that's floating around to raise the -- part of the unemployment tax dealing with funding our bankrupt unemployment system by .2

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percent. In addition to that, businesses are going to get taxed by the federal government because of what we borrowed, \$800 million, because we have no money.

And, in addition to that, your federal unemployment for businesses is going up because you're not going to get the federal tax credit on your federal withholding because we owe the federal government money. So businesses within the next year, actually eight months, are going to get wacked three times because our unemployment rate is 9.1 percent. Anybody want to take a bet that in February what the unemployment rate is going to be?

And we all heard the economists say that the State of Connecticut is going to come out of this recession with a jobless rate. In other words as we climb out, we're not going to bring down this unemployment rate much.

Where are we going? What message are we sending? What message are we sending to the business world? We're saying we want to spend more and I know we're not on the other bill, but when I heard some conversations about this bill and how we're not maximizing federal dollars, I'm all for maximizing federal dollars but I'm not for maximizing federal

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dollars for the purpose of spending more of those dollars to increase the size of government.

We've got to stop ladies and gentlemen. We have to stop. It is tough to run a business. Small businesses barely keeping their beaks above that water and it's getting tougher and tougher and tougher and those of us who run small businesses, as I do, know the problems we have in the State of Connecticut and how tough it is to run a business in the State of Connecticut.

So we have to look at cuts. So I do say this bill is not perfect and how many times have we heard in this Chamber it's not a perfect bill and you've got to swallow the good with the bad and that's blah, blah. How many times have we heard that in the Chamber? Same thing this is not a perfect bill but I'll tell you if you let this amendment get passed, there are amendments sitting in the wings that are going to make this a much better bill.

In fact there's an amendment sitting out there we can get rid of the cuts to municipalities and funded by cuts that are in another bill that the majority party appreciates and would -- would embrace but we have to pass this bill to get there. If we're serious



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about making the decision and if we're serious about a path to bring Connecticut back to where it was, this is the right step forward; it's not the perfect step.

For those reasons I am going to endorse this bill. I don't like the hospital tax. I don't like the municipal cuts but we can deal with those but what we can't deal with is with the message that goes on the bill if it passes that says we are going to tax more and we're going to spend more to feed the monster. We have to starve the monster.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate A?

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, speaking in -- in opposition to the amendment, I think that there are a number of policy choices represented in this amendment that are not the best for the State of Connecticut and that we hope in a little while to offer what we believe would be a -- a preferable plan for dealing with the 2010 deficit.

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One of the main problems, of course, I think, is the unspecified reduction in municipal aid and the -- the \$45 million in unspecified aid that the Governor posits but doesn't indicate with any specificity where it would come. That is similar to the proposal earlier for the \$84 million unspecified municipal aid reduction earlier in the year.

So we -- we believe that that is just -- just one example of some of the -- of the flaws. Clearly in the -- the plan that will be offered later, a significant number of the Governor's options will be and are accepted. We recognize that there are painful choices to be made and, in many areas, there will be unanimity. In other areas there clearly will not and, for that reason, Mr. President, I believe it's -- it's important for the Chamber to be on record on this proposal since the Governor has several times put forward the request that it be voted on, possibly suggesting that it had -- had broad-based support.

So for that reason, Mr. President, would urge rejection of this amendment so that we might move forward on a plan that will represent more of, we believe, a consensus solution.

Thank you, Mr. President.

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THE CHAIR:

Thank you, sir.

Will you remark further?

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

And we obviously are better as a Chamber and the people of the State of Connecticut better when we debate bills rather than working behind closed doors and I think it's instructive to reflect back on the colloque between Senator DeFronzo and Senator Harp. Senator DeFronzo talked about the Governor's taking of \$12 million, \$6 million more than the majority take out of the Citizens Election Fund and, while there's opposition in the majority to take that money out of the Citizens Election Fund, their very own bill to fix our public financing system ignores the entire legislature.

The very Senate bill that passed the GA Committee says we're not going to fix the system for the state Senate or the state House of Representatives, while I think we were about 9 or \$10 million last year without state-wide offices. So the majority wants to take six out, the Governor wants to take 12, if we're not going

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to solve the legislative races, we could probably save \$10 million right there, maybe there's a meeting in the middle.

Senator DeFronzo talked about how he thought it was unfair to cut \$45 million in municipal aid yet six months ago Senator DeFronzo and others in the majority voted to cut municipal aid. So how do you say to the people of the State of Connecticut that the majority budget, which cut \$48 million in municipal aid over the biennium, is good but the Governor's budget, which proposes to cut \$45 million to municipal aid and let me just say that it doesn't say that, it says the Governor may, and I'm sure we could work with the Governor not to do that, how is that bad?

And I think people would say well, you know what, you're all the same, it's just politics as usual and, you know what, the people would be right.

Senator Looney frustrated that the \$45 million is unspecified yet the majority budget, which we're currently living under, had \$473 million saved in unspecified lapses. \$45 million unspecified by the Governor, \$473 million unspecified by the majority. It's good for one; it's not good for the other. I think the people would say more politics as usual.

I don't mention those -- well I'll -- I'll mention one more. Senator Harp, when having a colloque with Senator LeBeau, talked about the cuts to the stem cell, the sweep of \$5 million I believe it was in the stem cell biomedical research fund and clearly that's something that nobody wants to do. Yet at the same time the majority has decided not to sweep that but to sweep \$5 million out of the community investment account which could very well jeopardize funding to save the dairy farms that Senator Williams, the Senate president, worked so very hard on.

Very difficult choices, without question. Yet we're going to stand and just criticize. In fact I even was -- I was heartened because Senator Harp said even talking about cutting in that biomedical research fund might hurt investments. Well we, as Republicans, have been talking about that for a long time, even talking about paid sick leave and expansion of workers' comps and card check and increased taxes on businesses. All of those anti-business bills that make it through our committees, on a daily basis, do have a negative impact on how businesses here and outside look at our state.

I don't raise those issues just to point out the

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hypocrisy in them, I raise them to point out that there is no perfect solution, that the decisions are very difficult. And what we're going to find out tonight is no surprise. We're going to go through this exercise to learn what every member of the state Senate knows, to learn what every member of the House of Representatives knows, to learn what every member of our staff knows. We're going to learn this; there are not enough votes to pass the Governor's deficit mitigation package. There are not enough votes to enact the Democrats deficit mitigation package into law and there are not going to be enough votes to pass the Republican deficit mitigation package.

So we can sit there and fight with each other and point fingers and say your cut is bad, my cut is good, and go back and forth or, once we've exercised ourselves of all of these packages, we can say there isn't one package offered by any group, be it the Governor, the Republicans or the Democrats, that has enough votes to be enacted into law. Therefore we all ought to sit down around a table and try to work it out, something we have yet to do.

We've known about this budget deficit since the day the budget was implemented. The Comptroller came

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out the day we passed the implementers and said this budget is going to have a deficit. That was October 1st. We have yet to solve that budget deficit problem and yes we can all stand up and say we have a solution. The Governor has a deficit mitigation plan that balances. Democrats will bring out later an E-Cert that is a deficit mitigation plan that they will argue balances. We will offer an amendment that will be our version of deficit mitigation that balances. Good for all of us. None of them can be passed into law and that is our job and that is what we should be working to, not exercises in futility at 3 o'clock in the morning.

THE CHAIR:

Will you remark?

Senator Williams.

SENATOR WILLIAMS:

Good morning, Mr. President.

THE CHAIR:

Good morning, sir.

SENATOR WILLIAMS:

I rise to oppose the amendment, the Governor's mitigation package for 2010 but first I -- I want to appreciate the fact that the Governor, with this

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package, put something forth to try and close the deficit that we're all working on. There are many aspects of her proposal that I think are workable. In a few minutes we'll get to another bill where we'll see many of her proposals, that is the proposal that the Democrats have crafted because we have reached into this proposal that's before us to take many of the good ideas that are here.

Unfortunately, Mr. President, as we have heard from both Democrats and Republicans, there are problems with this package and indeed I believe it has been said that there's not going to be a perfect mitigation package of any sort before us for 2010 or 2011 this session.

I would just like to point out that the \$45 million cut in municipal aid that's here in the Governor's package is unacceptable to me because it is in unspecified cuts. I'm not even sure they're real cuts because I don't know what the cuts are to our cities and towns. I do know that it would increase property taxes at the local level; something that I don't think any of us would think is acceptable. I do agree with Senator McKinney when he said that debate on these issues should be in the open. It's very



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difficult to debate \$45 million in unspecified cuts to cities and towns.

My good friend Senator McKinney also talked about lapses. I'm not aware of any significant lapses in either the Governor's proposal or our proposal but I believe he was referring to some of the previous steps we've taken to close the deficit and I just want to point out my good friends on the other side of the aisle are sort of the champions of lapses with the more than \$800 million in unspecified lapses that they have proposed in the past.

And yes there are tough cuts that we're all going to have to step up and take as we move forward. But, Mr. President, this package falls short. It hurts our municipalities. It doesn't tell us where the cuts would fall. It would guarantee that property taxes would increase throughout the state and for those reasons I oppose this amendment.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

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

If not, Mr. Clerk please call for a roll call

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vote. The machine will be open.

THE CLERK:

Immediate roll call vote 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 Senate Amendment  
Schedule A.

Total number voting	36
Those voting Yea	8
Those voting Nay	28
Those absent and not voting	0

THE CHAIR:

Senate A fails.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I would ask that the -- the bill,

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Senate Bill 355 be passed temporarily.

THE CHAIR:

Without objection, so ordered sir.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, the Clerk is in possession of  
Senate Agenda Number 2.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Mr. President, the Clerk is in possession of  
Senate Agenda Number 2, dated Friday, March 26, 2010.  
Copies have been distributed.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, I move all items on Senate Agenda  
Number 2 dated Friday, March 26, 2010 to be acted upon  
as indicated and that the agenda be incorporated by  
reference into the Senate Journal and the Senate  
Transcript.

THE CHAIR:

There is a motion on the floor to move all items

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on Senate Agenda Number 2.

Seeing no objection, so ordered.

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, before calling the single item on Senate Agenda Number 2, would ask that the Senate stand at ease for a -- a brief pause.

THE CHAIR:

The Senate will stand at ease.

(Chamber at ease)

THE CHAIR:

The Senate will come back to order.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, if the Clerk would call from Senate Agenda Number 2, previously adopted, Emergency Certified Senate Bill Number 492, AN ACT CONCERNING DEFICIT MITIGATION FOR THE BIENNIUM ENDING JUNE 30, 2011.

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Mr. Clerk.

THE CLERK:

Mr. President, calling from Senate Agenda Number 2, Emergency Certified Bill 492, AN ACT CONCERNING DEFICIT MITIGATION FOR THE BIENNIUM ENDING JUNE 30, 2011. The bill is accompanied by Emergency Certification signed Donald E. Williams, Jr., President Pro Tempore of the Senate, Christopher G. Donovan, Speaker of the House of Representatives.

THE CHAIR:

Senator Harp.

SENATOR HARP: *H*

Thank you, Mr. President.

I move the emergency certified bill.

THE CHAIR:

Acting on approval of the bill, ma'am, would you like to remark further?

SENATOR HARP:

Yes, thank you, sir.

THE CHAIR:

Please proceed.

SENATOR HARP:

Thank you.

This bill mitigates the deficit in fiscal year

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2010. I am greatly disappointed that the revenues that were projected in the biennial budget have come in at over \$500 million less than is what -- than what is necessary to balance this year's budget. I am saddened that in order to balance this year's budget this body must cut programs and initiatives that at one time or another we fought to send.

But we were all elected to make the hard, tough choices, the responsible decisions, to assure that a balance budget occurs for the people of the State of Connecticut. This proposal is responsible and solves the revenue shortfall we -- we face. This budget mitigation package has an all general fund impact of \$61.6 million in fiscal year 2010 and \$205 million in fiscal year 2011 which will free up the Rainy Day Fund revenue in that year for use in this fiscal year.

The budget mitigation plan transfers funds in the amount of \$39.4 million in fiscal year '10 and \$12 million in fiscal year '11. Together both cuts, sweeps, revenues and the Governor's unilateral authority amount to \$535.6 million in budget mitigation in this budget year.

I urge your adoption.

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Thank you, ma'am.

Will you remark further?

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President.

The deficit mitigation package we have here tonight stands in sharp contrast with the one that the Governor proposed. The one that the Governor proposed relied on spending cuts to actually close the deficit, the vast majority of her items were spending cuts. The deficit mitigation before us tonight has less than 20 percent of its deficit mitigation in cuts. The vast majority is in increased taxes and one-time gimmicks.

If you actually look at the numbers, the actual number of spending cuts is \$80 million in FY '10 and \$70 million in FY '11, significantly less than the \$80 million that the Governor had in FY '10, very similar, but the Governor had \$120 million in spending cuts, \$50 million more in FY '11.

So how does this deficit mitigation package actually work? Well first 50 percent of it comes in increased taxes. Again we are right back where we've been every single time the majority party has proposed

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how we close deficits, it's with taxes. First and foremost is a tax on sick people, is a tax on hospitals that will be passed through to our patients in the form of higher costs at a time when in Washington and elsewhere we're trying to debate how to lower healthcare costs, this body wants to raise them by the tune of \$160 million.

Second, we want to raise taxes on small businesses. The estate tax reform that we did last year was a reform targeted at raising the exemption from \$2 million to \$3.5 million, not on the billionaires but on the small businessmen. To try to exempt more small businessmen who have built up business and want to pass it on to their kids, exempt them from the tax. This reverses that and raises taxes on small businessmen. So again 50 percent of this budget is just the same old, same old that we've heard from the majority party for the last two years, raise taxes on sick people and small business.

Second is it takes what is possibly the least desirable aspects of the Governor's plan and keeps them, specifically deferring the pension payment \$100 million. It's an easy fix. It's a one-time gimmick but we're still going to have to pay that, our



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pensions are underfunded. And most ominously this budget actually does some of the things that the Appropriations Committee budget did that are simply ways to pave the way for new spending, specifically trying to move DSH and SAGA into Medicaid.

First with the DSH program, which gives money to hospitals, the legality of doing this under the federal government's guidelines is seriously in question. To say that we can actually move money that is for hospitals, not for Medicaid patients under Medicaid and hope we can get reimbursed for it, is very questionable in terms of the legality.

Second, we are actually increasing the deficit in the out years, in 2012 and 2013, by putting more people onto Medicaid when we all know that the current reimbursement rate of 61 percent is only good for another 15 months and then it goes back to 50 percent when the stimulus package ends. So we are actually increasing our deficit in the out years.

And we're actually creating, most troublesome of all, more entitlements. With SAGA, it's a good program but it's discretionary. As we put more and more people onto Medicaid, we are tying the hands of the taxpayer to actually solve future deficits by

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putting people into a program that we really can't tinker with because it's set by federal law.

Now you might ask well why do we do this. My friends on the other side of the aisle would say it's because we want to get more federal revenue and somehow thinking that federal revenue is a pot of gold out there that we just have to go grab. It's all taxpayer money, whether it's money that we're paying in state taxes or federal taxes, the people of the State of Connecticut are paying for increased spending and that, Mr. President, is the dirty little secret in this package is that it is all to pave the way for the increased spending that the majority party wants to do in 2011. To get more federal revenue, to free up to spend the extra \$400 million that the Appropriations Committee passed just 36 hours ago.

So deficit mitigation on the surface, they're raising taxes to close the FY 2010 deficit but, in the long term, this is just paving the way for the big government expansion that the majority party voted for on the Appropriations Committee.

I urge rejection of this deficit mitigation package.

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Thank you, sir.

Will you remark further?

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

Through you, a few questions to the proponent of the bill.

THE CHAIR:

Senator Harp.

SENATOR KANE:

Thank you, Mr. President.

Through you, last bill we discussed a little while ago we talked about the hospital tax and I believe the Governor's proposal was 3.45 percent. Can you explain to me the proposal -- what the tax rate would be in this one?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, Mr. President.

You know it's interesting to me that you're talking about a tax rate as if it's not a tax rate that does not return money to the overall healthcare

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delivery system. This plan basically actually will put the hospital tax rate in line with the way in which we currently tax the nursing home industry. So it will be at 5.5 percent.

Now what it does that is slightly differently, and I think that we heard it from the previous speaker, is that it also -- it also moves SAGA into Medicaid thereby getting us additional federal revenue, about \$10.6 million in this year and \$38.5 million in the next year.

And the reason that we're able to do that along with returning the dollars to the overall hospital healthcare system is through the process that we discussed early on but we can move SAGA into Medicaid April 1st because we're allowed to do that through the new federal health legislation. And it's interesting that the previous speaker spoke about the entitlement of Medicaid when, in fact, the healthcare law that was passed and signed actually is going to require over the next four years for all of the residents of Connecticut, all be as the entire nation, up to 133 percent of poverty get moved into Medicaid. So it will be an entitlement that will be required of all states throughout our country.

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So we're not doing anything any differently, it's just that right now SAGA is a state only funded program and what we're trying to do to help the taxpayers of Connecticut out is to get the federal reimbursement that we have forgone since we moved general assistance into the state as something that we would pay. One of the things that you may not be aware of is that general assistance used to be a local program that local municipalities paid for and the state took it over to try to help municipalities out.

Since 2003 we, as a legislature, have voted to actually move SAGA into Medicaid for a couple of reasons. When we went through the downturn in 2001-2002, basically we capped the hospital costs that we pay for SAGA so that the hospitals have actually been subsidizing SAGA for the past seven years. And so the reasons that we've been trying since 2003 to move this program into Medicaid is so that the hospitals would no longer subsidize this population that we have served for hundreds of years in our states, mostly through our municipalities but most recently through our state government in an effort to take some of the pressure off municipalities.

So the idea that if we don't do this, that we

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wouldn't do it, I think is really -- goes against the grain of the culture of Connecticut because the towns of Connecticut, the cities of Connecticut have always taken care of their indigent poor. And one of the things that the legislature wanted to do in the late 90's was to take some of that responsibility away from those municipalities and that's why we're doing it.

But what we've done is transfer that responsibility onto the hospitals. This would relieve this responsibility. It's a tax that goes back to the hospital system and ultimately supports what is our overall responsibility with help from our friends in the federal government to support this very vulnerable and typically sick, chronically ill population.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

Staying along that -- that same line, I -- I think your immediate response was, in -- in my questioning was about the difference between the 3.45 and 5.50 so is -- is what you're proposing then the -- the higher figure? The 5.5 is a better thing for us to do, a higher tax is better for us to implement, is

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that what you're proposing?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, Mr. President.

I think that one of the things that this tax moving to 5.5, it -- it make -- equals the amount of tax that we require of the nursing home industry. And in many respects, if you think about the nursing home industry, through you, Mr. President, the nursing home industry is probably even more fragile than our hospital industry. So yes it, in fact, does raise it to 5.5 percent but it returns all of that to the hospital system so they get all of that back.

Everything that we raise from them the system of hospitals in our state gets back. They may not get it back equally in terms of how they pay it but all of the hospitals get it back so that over \$200 million that we're going to be getting from the tax will go back to the hospitals.

THE CHAIR:

Senator Kane.

SENATOR KANE:

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Thank you, Mr. President.

So the -- we tax the hospital but then we give it back?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, that's absolutely right. It goes back by formula. As I said before there have to be a certain number of winners and losers, given federal regulations and law, but ultimately the money goes back. And here's what happens when it goes back, because we send it back to them, we get a 50 percent federal match and that can go into our general fund.

THE CHAIR:

Senator Kane.

SENATOR KANE:

As far as it going back, and you mentioned the winners and losers, how -- how does -- how does that work out? I mean you mention a formulary but, you know, overall we can say that the winners -- is it a zero-sum game or -- or whether there truly is going to be some -- some significant losses to certain



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hospitals?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

My understanding is that the formula is based upon the number of -- the amount of free care that you provide, the number and the amount of Medicaid services that you provide as a hospital, the amount of SAGA that you provide as a hospital and so for those hospitals that provide more free care, more Medicaid, more SAGA, will get a greater portion of those dollars back to them.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

Can you explain to me the -- the DSH cap and how this affects that or the disproportionate share of the hospitals and how that affects that?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

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SENATOR HARP:

Thank you.

Through you, Mr. President, every state is given a certain level of a DSH that they're able to draw down to get federal match on. And basically one of the things that we do in our proposal that I failed to mention is that we take the current DSH dollars that we have and we -- we add them to hospital rates, so we increase the Medicaid rate for hospitals and that leaves us room -- more room in our pool so -- as -- as you will recall I think that I said for the Governor the amount of room that was left was about \$64.7 million. Because in her proposal she continued to circulate the \$47 million and some change through the uncompensated care pool.

What we would do is take that \$47 million and increase the hospital rates, the Medicaid rates for hospitals. That gives us \$47 million more room and that's why we can tax up to 5.5 percent instead of the 3.25 percent that the Governor taxed and so then we would circulate. So not only would the hospitals get the increased Medicaid rate they would get the circulation of those tax dollars back through their system based upon the -- it would flow based upon both

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giving the most based upon those who serve, give the most free care, the most Medicaid and the most SAGA.

THE CHAIR:

Senator Kane.

SENATOR KANE:

So this figure, the 5.5, would maximize that cap for us?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, yes it would.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Okay because I -- I believe OFA numbers were -- were based upon that. If we do this, does DSH and SAGA now go away?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, I've got to think on this one. This is a tough one, Senator Kane. SAGA

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goes away because it becomes Medicaid. DSH doesn't go away because we're utilizing all of it by sending the tax dollars back to the hospital system but there will be no room to increase it.

THE CHAIR:

Senator Kane.

SENATOR KANE:

I think -- thank you, Mr. President.

I think that was part of Senator Debicella's argument earlier is that DSH and SAGA, if I'm correct, are programs that are capped. When we move this to Medicaid it becomes an entitlement that we can no longer cap that becomes permanent, is that true?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, we will always have a certain amount of DSH dollars that are prescribed by -- I think it's CMS that prescribes them. So those are -- so looking at it the way that I think you're looking at it, those dollars are always capped because we're given a certain DSH allocation based upon our population and the number of poor people in our

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population.

SAGA though, and I think that what -- as I understood what Senator Debicella was saying, SAGA currently now is not capped. It's an entitlement to the individual who -- who qualifies for SAGA but it is not an entitlement to the hospitals who provide the care. What is capped in SAGA is the amount of hospital payments that we pay to the hospitals on behalf of the people who are eligible for SAGA.

So what happens is I -- I think that they used to be around, and I'm not sure what it is today, but when we first started this it was in the -- the mid 50's, about 50 million some odd dollars that we gave to hospitals.. And we basically said to them we expect that you will care for folks that are eligible for SAGA on a non-emergent basis even when there are no longer dollars available here to pay you.

So basically what hospitals have been doing over time has been -- have been eating the cost of providing an entitled service to those who are SAGA recipients. And so what this does if your -- is to take the cap off what we will pay hospitals so it becomes an entitlement not just for the SAGA client but also for the hospital so that whatever their costs

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are, based upon the rates that -- the Medicaid rates that are negotiated through the Department of Social Services, they will be paid for whatever care they provide and now they have to provide care beyond what they are paid for based upon the caps that currently exist.

Through you, sir, do you understand what I've said?

THE CHAIR:

Senator Kane.

SENATOR KANE:

Yes.

Thank you, Mr. President.

I guess I -- I do, not as well as you of course, but I -- I think -- I think I do. Going back to my earlier question, if SAGA goes away and we take advantage of this proposal, what's the net gain so to speak in dollars? I mean are we saving money? Can we now use those dollars to lower the deficit? Are we using those dollars to spend elsewhere on other programs? Was it -- was that thought out through the -- through the process?

Through you, Mr. President.

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Senator Harp.

SENATOR HARP:

Thank you.

Through you, Mr. President, I believe that it's our intention to offset this current year's budget deficit with the dollars that we are reimbursed for the population that is currently in SAGA and our expectation is that in fiscal '10 that would be \$10.6 million and in fiscal year '11 it would be \$38.5 million.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

That's the Medicaid program or that's the difference between no more SAGA and the Medicaid program?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

That's what would happen if we roll the SAGA population into Medicaid.

Through you, sir.

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THE CHAIR:

Senator Kane.

SENATOR KANE:

Okay.

Thank -- thank you, Mr. President.

Going back staying with this Medicaid idea, I believe the proposal is that by doing this we will get 61 cents for every dollar we spend, is that true?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

According to the fiscal note, it's 61.5 cents although you know I've never seen a .5 cents but it's --

SENATOR KANE:

Sixty-two?

SENATOR HARP:

Not quite 62.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Okay. Thank you, that's -- that's fair enough.



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But that is through the federal stimulus package that is happening currently and will end as of fiscal year 2011, correct?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, it is scheduled to end at that particular point in time but even if it does end we will then, instead of getting the -- the enhanced federal match, will get a -- a 50 percent federal match.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Okay. Thank you.

Thank you, Mr. President.

Just if you'll indulge me I -- I just have a couple more questions because this is fresh in my mind and we have been dealing with it in the Human Services Committee. We -- we dealt with it yesterday or two days ago now in Appropriations. Can you explain to me UPL, I guess the upper payment limit, because I -- I believe it was talked about yesterday that we may be

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at that threshold or dangerously close that threshold so can you explain to me and -- and others what UPL means and then how -- if and when we are in danger of that level?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, Mr. President.

Through you, I will attempt to do it as best I can. Each hospital is given an -- as a matter of fact each provider is given a certain Medicaid rate. When: Medicaid doesn't continue to increase rates ad infinitum, it sets a high rate which they call the upper payment limit and once you get up to the upper payment limit you can't get any more rates under Medicaid. And so I believe that the question is how close are we to that upper payment limit for most of our hospitals in our state.

Well we have been -- it is our belief that by utilizing this program of reimbursement that we will not be at the upper payment limit for any of our hospitals. Currently Dempsey Hospital has the highest Medicaid rate in our state followed by Yale-New Haven

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Hospital. And so if there were one hospital that would be close to the upper payment limit it would probably be Yale-New Haven Hospital but I haven't heard that they're in any danger of not being able to receive their reimbursement due to being at or possibly going above the upper payment limit through this program.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

Do you know what our upper payment limit is or did you say that differs for every hospital? I'm sorry.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, it differs for every hospital.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Okay. And I -- I believe you mentioned that the new federal healthcare reform that passed is promoting

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this because my understanding was we have to get federal approval to do this. Maybe I'm incorrect.

Can you -- can you explain that maybe?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you.

Prior to the passage of the new federal legislation, we would have had to have gotten a federal waiver, probably that proved cost neutrality in order to move this population into Medicaid. With the passage of the federal health reform, we can move the SAGA population into Medicaid with a -- a plan amendment and a plan amendment is something that -- so basically it means that it's within the overall law. It -- it does require approval by CMS but that it is part of the overall new law that accommodates it. It was outside of the law which required us to get a waiver prior to -- to this time.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you.

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Thank you, Mr. President.

Through you, one last question in regards to the hospital tax. I -- I refer back to this list that OFA provided and there are a couple -- I think it was Dempsey and CCMC are zeroed out. Can -- can you explain that for me? I know there's winners and losers. There -- this one is -- is neutral.

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Currently the only participants in this, through you, sir, program are those who currently receive DSH dollars and neither CCMC nor Dempsey receive them so they are not included in this overall program.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

I guess that leads me to my next question, I thought was my last question. I thought Dempsey when you said earlier was at one of the highest levels of Medicaid percentages -- now -- maybe -- that's where I'm confused now. They're not participating but they

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get a -- they use a lot of Medicaid.

Through you, Mr. President.

THE CHAIR:

Senator Harp.

Okay, yes, thank you, through you, sir, what I said was that -- that Dempsey has the highest Medicaid rates in the state. It is also our only public hospital. The second highest rate I believe goes to Yale-New Haven Hospital. And both of them and the thing that they have in common, which is why their rates are higher, is they're both teaching institutions.

THE CHAIR:

Senator Kane.

SENATOR KANE:

But -- but they don't participate in DSH?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

CCMC, or Connecticut Children's Health Center, and Dempsey don't participate in the DSH pool. Yale-New Haven Hospital does.

THE CHAIR:

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Senator Kane.

SENATOR KANE:

Forgive me but if they have the highest Medicaid population, I think you said, and the highest Medicaid rate, why aren't we reimbursing them through our -- the DSH program?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, through you, because they're a public hospital and we subsidize them in other ways.       a.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Okay.

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

THE CHAIR:

Thank you.

Will you remark further on Senate Bill 492?

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Mr. President.

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Through you, a question to the proponent of the bill please.

THE CHAIR:

Senator Harp.

SENATOR McLACHLAN:

Thank you, Senator Harp, for all your hard work in the Appropriations Committee. I know that this is a very complicated budget in state government and I'm trying to follow carefully, not sitting on Appropriations, but trying to follow very carefully the proposal before us and the discussion that has ensued and I'm -- I'm trying to follow the -- the SAGA wavier process and and how I'm reading in this proposal that there is a projected savings of \$10,600,000 effective April 1st and I'm -- I'm trying to understand how do we get that approval so quickly?

My experience with federal government is that decisions are much slower than what's anticipated here and so is that a realistic date of realizing savings or should we be thinking more along the lines of July 1st for those savings?

Through you, Mr. President.

THE CHAIR:

Senator Harp.



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SENATOR HARP:

Thank you very much.

It's my understanding that once we've passed authorization to apply for a plan change, not a waiver but a Medicaid plan change as of April 1st, that the CMS will look back to April 1st and, since our program is already in place, will provide reimbursement for us that we're not currently getting for this program.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Mr. President. --

And so again even though it's a federal government decision; you're feeling that that can become effective on April 1st?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

I believe that if we pass it with an effective date of April 1st and the application is sent in based upon a start date of April 1st, that given the enthusiasm in Washington around this program to get it started, that they, meaning CMS, would look back to

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April 1st and reimburse us at that level since we're moving a new population into Medicaid and beginning to move populations into programs of the uninsured.

So -- so yes I believe so, sir.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Mr. President,

Thank you, Senator Harp, for your very optimistic answer. I -- I hope you're right, although I'm -- I would be very surprised that -- that a government entity in Washington could move that quickly on such a -- a very important and large decision. I'm I'm just hopeful that this is not another projection of income; a revenue that we cannot realize and are going to find ourselves another ten or \$11 million in the hole in the very near future.

May I, through you, Mr. President, may I also ask the proponent the issue of closing a therapeutic group home, could you clarify what -- what that is. Is that a privatization of a group home in Connecticut?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

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SENATOR HARP:

Thank you very much.

Some therapeutic group homes are private and some are operated by the state and I believe that this would be a private one that is no longer necessary.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Mr. President.

And thank you for that answer, Senator Harp.

Also there's a reference under the DMS line for reduced funding for positions in specialized services. It's a pretty substantial amount of money, two and a half million dollars for the next three months and well over \$10 million for fiscal year '11.

Could you clarify that point of the projections and, again, is this a -- a privatization effort?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

It's my understanding that basically what this will do is to reduce funding for positions and then

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role funds into the age out program for kids aging out of the Department of Children and Families and moving into the Department of Mental Health and Addiction Services.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Mr. President.

Senator Harp, I must admit I'm -- I'm confused and that's probably the hour. It's now ten minutes passed four in the morning and I'm -- I'm a night owl but not this much of a night owl so I'm -- I'm trying to follow the -- the money as they say.

If -- let me rephrase -- is this a -- any form of privatization in this process?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you. Through you, Mr. President, there could be some privatization and as well as some state services that are provided to the children that age out of services through the Department of Children and Families but I think that what this proposes to do is

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to not fund vacant positions so that resources will be available for the children that age out of the Department of Children and Families that have normally a -- a mental health diagnosis.

And so I don't think this limits how the services are provided but often they are provided both by the Department of Mental Health and Addiction Services as well as through contract.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Mr. President.

And through you, Mr. President, I'd like to move on to questions that I have about the -- the new hospital tax. I'm looking at a document that is marked March 25th Appropriations Committee estimated impact to hospitals and this is -- these formulas are -- are nearly as confusing as our ECS formulas and so I'm -- I'm trying to understand why Danbury Hospital and their new potential strategic partner of New Milford Hospital appear to be really getting hammered pretty hard in -- in the financial end of this tax proposal.

Danbury Hospital -- I -- I would like to say I'm

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one of their biggest cheerleaders. I've not needed their professional services and hope I don't anytime soon, but they are a great community hospital for our region and, as I understand, although I'm not an expert on OCHA's annual reports of hospitals, I understand that Danbury Hospital is really one of the best run and most financially sound in the State of Connecticut.

And so it's alarming to me that the -- the new hospital tax, which will give Danbury Hospital the opportunity to provide some \$14 million to state government for existing essentially, providing their services, and yet they're going to lose, at the end of the day, \$2.4 million, after they deliver \$14.3 million to state government, and their potential strategic partner as the possibility of -- of a merger being proposed with New Milford Hospital, just to the north of us, their tax will be a little over \$3 million and the net change to their revenue stream is a loss of \$1 million.

So I -- I guess I'm -- I'm trying to understand how is it that these two organizations who, in my mind and I -- I suspect it's a matter of opinion although I suspect also that OCHA will confirm are well run

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operations, are going to deliver \$17 million plus to state government under this new hospital tax, but they're going to produce \$3.4 million in red ink. I -- I -- that doesn't compute to me and I guess my concern is now what is the impact of you, with your proposal, causing the local residents essentially to pay another \$17 million and tax the state government and yet we're going to have \$3.4 million less in healthcare services to the residents of that area.

So when I look at the other hospitals on the list, I see that many of them have positive cash flow so I hope that wasn't too complicated a statement but that's -- that's the layperson reading the document and trying to understand what is the -- what's the genesis of that formula because it doesn't make sense to me?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

The -- if you look at column number one on your sheet, at least -- one we're -- we're operating from 2008 net patient revenue. When the formula is

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ultimately run, it will be run with 2009 data. It may change who the winners and losers are to some extent. But Danbury -- one of the things that makes a hospital a loser is -- doesn't have anything to do with how well run it is. It really has more to do with how much free care they provide as the proportion of their overall net patient revenue, how much Medicaid and SAGA they provide and so the big winners in this pool are hospitals that provide a -- a large share of their business is Medicaid or SAGA or a combination of Medicaid or SAGA business as well as free care.

In the wealthier parts of the state where there's less need for free care and there is less -- just because of where they are situated, they're likely not to provide a lot of free care nor a lot of Medicaid. I -- I'm thinking about Yale-New Haven Hospital, for example, in -- in my district which is the largest hospital in the state with over a billion dollars of net patient revenue, 12 percent of their business is Medicaid and one percent SAGA so that's 13 percent.

If you look at Danbury Hospital, five percent of their business is Medicaid and one percent is SAGA so what happens then is the dollars get recirculated through the formula. Those hospitals with the largest



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percentage of Medicaid and SAGA are likely to be the ones that are winners in this formula and so -- and -- and you can look in -- if you look in column number three that will give you the percentage of Medicaid and column number two will give you the percentage of SAGA.

The other thing that sort of impacts how much you get is your overall business as well. So if you're a hospital like Yale-New Haven that has 879 beds and a Danbury Hospital that has -- I don't know, through you, sir, if he knows how many beds you have, but it looks like your -- your business is -- is about half of Yale so it must be around -- between three and four hundred beds there.

Then as a result you would -- would be getting less and then when you go to New Milford Hospital, when I looked at -- at New Milford Hospital, New Milford Hospital that has a demographic that is similar to Danbury has a bed size I believe of about 35 beds and in that 35 beds only three percent of the beds are -- are Medicaid beds and one percent SAGA.

And so you can see that that's why they're disadvantaged by a formula that takes into consideration and weighs Medicaid and SAGA as well as

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free care very highly.

Through you, sir.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Mr. President.

And thank you, Senator Harp, for your answers. It -- frankly it's not really what I wanted to hear. I -- I appreciate that explanation. It -- it -- the numbers in the spreadsheet just sort of play out exactly what you're saying. I've been using as my comparison, you mention Yale-New Haven, I've actually been using Saint Raphael as a comparison because it's the net patient revenue of Saint Raphael and Danbury that are almost exactly the same.

I understand different demographics there come into play but -- but even with Saint Raphael at -- at net pay -- patient revenue at \$420 million and Danbury at \$427 million, Saint Raphael is in the loser column but at \$300,000. Danbury is in the loser column at \$3.3 million. So I have a problem with this.

I -- I -- this -- this is -- it's the same concept of ECS funding in the State of Connecticut that I have a problem with and -- and this new tax,

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for the taxpayers of Connecticut, and -- and let us not forget that this is a tax. I've heard people say that well it's not a sales tax so the patient's not paying for it. I -- I beg to differ. The insured patients are paying for it. The -- the federally insured patients are paying for it so it's clearly a new tax that's generating a big revenue and -- and what it means to Danbury Hospital is a loss of revenue and -- and frankly I'm concerned that -- that we have programs at Danbury Hospital that, after we collect all this new money and send it to the State of Connecticut, we have to cut programs. It -- it just doesn't compute, doesn't make sense at all.

If -- if Danbury Hospital is providing the only regional mental health clinic in western Connecticut and that program is in danger after this legislature is adding new taxes, I think this whole idea is misguided. It doesn't make sense.

Obviously there are other hospitals in other communities that are -- that are in the loser column that must be struggling with the same challenge. So I submit to this body and to the legislature as a whole that this hospital tax is a bad idea. Why are we going down the road of this very complicated, frankly

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unfair, unequalized, tax formula that is not realistic; is expensive to the bottom line of -- of the residents of Connecticut and we're chasing the almighty dollar and I think this legislature is missing the point of what our residents know clearly, very clearly.

I've gotten message time and time again from my constituents and one of them that I see on a regular basis who says almost every time I see him the same message and that is cut spending, no more taxes. Five words - cut spending, no more taxes. This hospital tax is going the wrong way. We've got to cut this out, please.

I was just looking at some notes from last summer and my comment at a very late hour, I believe back then -- one moment please -- it -- it's almost as though it's deja vu that my comment back then was Connecticut truly is at a crossroads, that this budget today should be about making tough decisions now to prepare for the next cliff that we face in two years. Well that cliff is now a year away and that cliff, as we all know, is the next biennium in the budget.

If we fail to act responsibly now, the decisions in 2011 I believe will be catastrophic to state

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government operations and I urge my fellow legislators on both sides of the aisle let's not -- let us not kick the can down the road tonight. Adding more taxes like this is the wrong direction, ask your constituents. And if you ask your constituents they're going to say cut spending, no more taxes.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator Roraback.

SENATOR RORABACK: Thank you, Mr. President.

Senator Harp has had a little bit of an opportunity to sit down and catch her breath but I don't wish for her to dose off because she's still the proponent of the bill and, through you, Mr. President, if I may, just a couple of questions to Senator Harp.

THE CHAIR:

Senator Harp.

SENATOR RORABACK:

Thank you, Mr. President.

First with respect to the SAGA waiver, Mr. President, it is my understanding that the budget that passed this body back in the fall obligated the Department of Social Services to apply for a Medicaid

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waiver for SAGA.

Through you, Mr. President, to Senator Harp, do I have my facts straight on that question?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

Through you, Mr. President, the budget that we passed in the fall instructed the Department of Social Services to apply for a federal waiver and so when we came back in January actually, we met with Commissioner Starkowski and he began to tell us of the various -- about the various items that he was implementing in his budget because we required that he -- he do many things in our budget.

And at that particular time the debate was raging around the healthcare bill and he indicated that, given the expense of getting an actuary to come in and to prove budget neutrality for the SAGA population which is required for the waiver, he said that in both the Senate and the House bill if they -- if either were passed and became law that he could implement farther going into Medicaid with a Medicaid state plan change which would cost the state less dollars.

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So he said that he was going to wait until the debate had continued. We were all very disappointed because none of us, as optimistic as some folks think that I am, I wasn't so optimistic that this bill would pass so I was very disappointed to be honest with you. And as -- as life would have it, it did pass last week and that enabled actually the administration to make good on its word that once it passed it would seek a plan change and place SAGA into Medicaid.

When I asked the secretary of the policy and -- the secretary of the Policy and Management whether or not they intended to do that, after the bill passed, they were not so clear that that was what they we're going to do. Now I had spoken to two different people so given that it wasn't our budget previously and has been a policy recommendation that been passed by this body on three different occasions since 2003, this initiative was placed in this budget mitigation package. It brought along with it, because it starts April 1st, an extra \$10.6 million in revenue and around \$38 million -- \$38.5 million in the next fiscal year of revenue that we actually had anticipated in our original budget.

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Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

And that was kind of where I was going with the question and through you, Mr. President to Senator Harp, does the -- this mitigation plan then direct the secretary of Office of Policy and Management to request the plan amendment which is arguably available as of right now in light of the passage of the federal legislation? Mr. President, through you to Senator Harp.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you.

I -- I believe it would be the administration but the Department of Social Services. I've got to check to see who is actually directed to do that. But typically it would be the Department -- the commissioner of the Department of Social Services.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.



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And if I may a couple of other questions through you to Senator Harp. Would Senator Harp agree with me that one of the defining issues in the national debate over healthcare is coming to terms with ways in which we can reduce the growth of healthcare costs?

Mr. President, through you to Senator Harp.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President.

Mr. President I'm going to answer his question but with -- with a yes but I know I probably shouldn't so yes.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

I -- I appreciate Senator Harp's candor and my point is simply this that it's -- it's hard to imagine that we're going to advance the goal of containing healthcare costs with the imposition of a more than five percent tax on the provision of healthcare services, Mr. President.

And the other concern of mine that I hope that Senator Harp didn't take cognizance of is the reality

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of my hospital says that they will have to cut a substantial number of jobs if they are called upon to absorb -- they're a loser -- my hospital is a big loser under this tax and I have an e-mail from the president of the hospital saying that if it's implemented we can expect to see a substantial job loss at the hospital and I -- I just -- and -- and those individuals, the loosing communities, will suffer very harmful consequences as a result of this and that's one of the reasons that I'll be voting no on the -- on the bill.

I thank Senator Harp for her answers and thank you, Mr. President, for the Chamber's indulgence.

THE CHAIR:

Thank you, sir.

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

Mr. President, through you, a question for the proponent of this bill with regard to section 18 having to do with the Charter Oak program that the state currently has for those individuals without insurance and are up to 300 percent of the poverty level.

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Through you, Mr. President, section 18 eliminates premium assistance under this very important Charter Oak program for new clients who are enrolled after March 31, 2010 and I understand that it is for the years 2010 and 2011, according to this bill. This amounts to anywhere between \$50 and \$175 per month for those with -- with the need for this pretty important piece of legislation that precedes any national healthcare program for those that are the gap group between the ages of 19 to 65.

It is something that many feel answers some of the problems that have existed where someone with pre-existing conditions and no access to health insurance from a job or -- or a self-employment and I have currently a number of residents of Connecticut that are on this plan that find it incredibly important for them.

My concern is that by eliminating these particular premium assistance, that we could very well have folks that would fall off again and become these gap individuals that can no longer afford to continue carrying this health insurance. My -- and I understand that there is a savings built into this from OFA of \$300,000 in 2010 and \$5,600,000 in 2011

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speaking to the costs associated with this.

Through you, Mr. President, is there an assumption built into this reduction that these individuals will have access to another plan or will there be a national plan that they can access if this is not available for them through Connecticut?

Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Mr. President.

Actually I believe that section 18 is one of the sections that we took from the Governor's bill and it's one of the areas that, frankly, I'm sad that we had to do but we -- when -- when this program was conceived by the Governor and her staff, the thought was that the people who would be a part of this program would largely be young people who just graduated from college, who maybe hadn't found that first job yet, or for some reason or another they weren't paid enough so that they could afford their insurance.

Well as you will recall I think it was a couple of years ago, our -- our legislature for the

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insurances that we charter in our state extended insurance to young people who were still -- and their families up to age 26. The current -- the new federal legislation for ERISA plans, says that we don't' basically regulate in our state, is extending coverage up to 26 so -- so who do we get in Charter Oak? We basically got people in Charter Oak who couldn't get into other insurances and typically had pre-existing conditions because, as you note, prior to the -- and -- and even now -- even with the passage of the healthcare bill, folks with pre-existing conditions are not covered by insurance and probably -- I don't know what year they actually become covered under the -- the health bill.

So this meant that this health insurance, Charter Oak, became very attractive to people who had pre-existing conditions and chronic conditions that wouldn't be covered through their employers or -- or that they couldn't afford through the commercial or private sector.

As a result, it's very expensive and so one of the things in discussing this program with the commissioner of the Department of Social Services, as well as the secretary of Policy and Management, is

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that, you know, in our budget unfortunately we didn't put enough money in the program. We didn't put enough money in the program given the amount of subscription that the program has. And so I think that the Governor and -- in eliminating the premium assistance makes an assumption here that it will reduce the number of people who actually subscribe to this program because of the cost.

I don't know whether or not that's accurate or not. There are many who believe that because it doesn't -- because if you have a pre-existing condition that this is an insurance that -- that you can get immediately that, in fact, folks will just continue to pay a higher cost. Now it is more affordable than nothing and I think that you -- you raised a very good concern because if they can't afford it and they have an emergent condition, we ultimately require our hospitals to pay for it anyway.

But it's -- it's my sense that -- that, you know, these folks who are that sick are going to forego other things and at least those that are on will maintain this coverage.

SENATOR BOUCHER:

Thank you. Thank you very much, Mr. President,

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for the answer to my question. I concur that, in fact, if they can't afford the coverage for this and continue with pre-existing conditions, they will end up in our emergency rooms. We will -- they will be part of the pool, the uncompensated pool that the -- the state pays as well and the federal government does as well.

It does, in fact, highlight the issue of cost with regards to our healthcare system and that when we come up with a pretty good program that, including now the State of Connecticut has found it to be costly as has Massachusetts with their statewide plan as well, raises the specter that our national healthcare program might, in fact, exceed costs that people anticipate and we may end up having to move in this direction with either restricting the amount of care that we provide or severely increasing the cost overall to the population to pay for it.

So it -- it is too bad that we see this although this plan was in place even when we passed a requirement that private insurance carriers cover young people to the age of 26. But as was noted, there are those individuals that are self-employed, many of them are realtors that have been able to take

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advantage of this program and I would hate to see it severely reduced, if not even altogether terminated in some fashion into the future.

Thank you, Mr. President.

THE CHAIR:

Thank you, ma'am.

Will you remark further on Senate Bill 492?

Senator McKinney

SENATOR McKINNEY:

Thank you, Mr. President.

I rise in opposition to the Emergency Certified bill before us. Obviously, Mr. President, we had an opportunity earlier this morning to debate and discuss a deficit mitigation package put forward by the Governor and the administration and now we are debating an effort put forward by the majority Democrat party.

We will soon have an amendment ready that will be the Republican Caucus version of that but I wanted to just briefly rise and explain why our caucus -- and I am in opposition to the deficit mitigation package put forward by the Democratic party. And I'm going to talk just in general terms for a second.

Mr. President, when you look at the Office of



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Fiscal Analysis report on the deficit mitigation package put forward by Governor Rell, in -- in rough numbers the Governor has proposed \$3 of spending cuts for every dollar of tax increases and has used one-time sweeps and other funds, the federal clawback that everyone has used. Three dollars in spending cuts for every dollar in tax increase. This proposal before us actually turns that number on its head. It's a little bit more than \$3 in tax increases for every one dollar in spending cuts.

But the issue I really wanted to focus on is the fact that we are not solving our 2010 budget deficit by cuts or tax increases in whole. We are solving it, in part, by punching one-third of our problems to a later date.

The proposal before us balances the \$504 million budget deficit by delaying \$100 million payment into the state employee pension fund. That is not a cut, it is not a savings; it is a \$100 million payment that we will have to make. We're not going to make it now and we're going to pay interest, which I believe may be on the order of eight and a half percent, penalty for not making that payment.

We are going to defer \$67 million of an MCO

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payment which we are going to have to make at a late -- later date and time. So we have \$167 million in money we're not going to pay now when it's due. We're going to have to pay it later but we're going to say we've solved our budget deficit. That's one-third of the budget deficit before us, 33 percent of the problem before us we're saying we are going to kick down the road for a later date. We are not going to solve it now.

And the cost of kicking it down the road is going to make it even more expensive. And what's down that road? In 2011 we're staring at an over \$750 million budget deficit. The deficit mitigation package before us cuts about \$34.8 million off that 2011 deficit of over \$700 million. What happens in 2012 and 2013? Our revenue and our state fall off a cliff with billions of dollars of debt.

So rather than making significant reductions in spending, rather than looking at significant consolidations of agencies in state government, we kick one-third of our deficit down the road to a later date when the deficits we face then are worse than the one we're facing today.

There are some proposals for spending reductions

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in the majority party's package not offered by the Governor which we think are good spending reduction proposals and they will be included in the Republican deficit mitigation package. And we thank you for coming up with some of those. We also thank you for adopting some of the things that we as Republicans have offered in years past as well and that's a hopeful sign that there are areas where we believe we can save money, spend less, and I'll agree.

But even when you look at the spending reductions offered in the majority package, there are still some differences in philosophies. I believe the majority party saves money by shedding deputy commissioners for the State of Connecticut. We support that. We don't believe the next governor should be able to simply replenish the stock of deputy commissioners if they're not needed and the state can't afford them and we shouldn't let the next governor re-hire them either.

But we also think that we can't simply be symbolic and attack one part of state government, that the sacrifice needs to be shared and universal so the amendment we'll bring out in a little bit talks about sacrifices, not just from deputy commissioners, but from all state employees. The amendment that we're

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going to bring out talks about priorities and I'll give you one example.

The numbers aren't great. They might total in the tens of thousands maybe in the hundred thousand or so and I'm sure not everyone, Mr. President, is going to like this but how do you say to the people of the State of Connecticut we're going to cut municipal aid and possibly increase property taxes. Or how do you say to them we're going to cut -- even the majority cuts money out of the biomedical research fund, not as much as the Governor and not as much as our proposal.

How do you say you're going to look at perhaps co-pays for Medicaid or for Husky band one or two? How do you do all of those things? How do you say that the State of Connecticut and her agencies and departments don't need deputy commissioners but we have constitutional officers riding around with taxpayer funded drivers, for example?

The Governor deserves one and needs one and is entitled to state police protection. I don't think anybody else does, not in this time. And so I would respectfully say to the Lieutenant Governor and Attorney General and Secretary of the State and Treasurer that maybe we could shed that expense while

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we're shedding deputy commissioners as well, shared sacrifice.

The other thing that's missing from the majority list of cuts, quite frankly is cuts to us, cuts to the legislature. So we've included over \$800,000 in cuts to what we do. Cutting our franking privileges, not sending out unsolicited mail because we can't afford to do it. Trimming our salaries a little bit so we can all sacrifice the way all of our constituents have sacrificed.

Those are some of the differences and priorities that we are going to bring out when we have the amendment before us. But I guess that's the frustration. Beyond the specific cuts, the frustration is that faced with a \$500 million problem, we're going to take one-third of it and we're going to say we're not going to solve it until later. We're going to take another big chunk that comes from the federal government.

And the very foundation of this mitigation package, I think as Senator DeBicella said earlier at about three o'clock in the morning, it's now approaching five, the very foundation is to say we're going to increase a tax on hospitals to five and a

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half percent over and above the 3.2 percent offered by the Governor. We're going to shift SAGA into Medicaid which is probably going to happen anyways. We're going to shift DSH into Medicaid creating a further entitlement which cannot and will never go away and we're going to do all of that so we can get more federal dollars and we can then use those federal dollars to spend more money. Not to offset our deficit with reductions but to spend more.

So what happens when a federal Medicaid match perhaps goes from 61 percent to 50 percent? We're going to have to make up the difference. What happens if the federal government doesn't give us this much money as they've been giving us? We're still left with the entitlement.

So the frustration is that when you look at our structural deficit in 2011, 2012 and beyond, this mitigation package only sheds 34, I believe \$34.8 million off of 2011. That gives us over \$700 million still left to go.

So while there are some cuts that the majority's proposed that we incorporate in ours and we think are a good start, a package that is \$3 of tax increases for every one dollar of cuts, a package that ignores

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one-third of the problem and says we'll put it off until later is a package that falls far short of being the fiscally responsible package that we need for the State of Connecticut.

So I know we're going to have our amendment out soon, Mr. President, but I would urge my colleagues, when we vote on the underlying E-Cert, to vote against this bill.

THE CHAIR:

Senator DeBicella.

SENATOR DEBICELLA:

For the second time, Mr. President.

Mr. President, thank you and first off I -- I want to compliment my friend and colleague, Senator Harp, who has an amazing stamina to have debated this bill into the wee hours of the morning. I do want to speak a little bit, Mr. President, about the risk of one-time gimmicks that are in this bill because one of the things that you worry about, or as I worry about as I've been here, is, in the long-term, there's only two ways to cut a deficit. It is either you raise taxes or you cut spending. And we can disagree on the -- on the measures between each. (Inaudible).

Excuse me, Mr. President, the -- worrying about

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the one-time deferrals that are in this, they total over \$200 million between the MCO deferral, the SERS payment deferral and there's a better way. And what I'd like to talk about while we're still waiting for the LCO to come out is the amendment that we'd like to introduce tonight.

The underlying bill that we have before us relies on increased taxes and one-time deferrals with less than 20 percent spending cuts. The amendment that we're about to propose is over 80 percent spending cuts. The only things that are not spending cuts in it are the fund sweeps that we all agree on and the ARRA clawback. There is no hospital tax. There is no increase in the estate tax. There are no new entitlements and there are no deferral of payments to the pension system.

Instead we cut over \$230 million of spending. How did we do that? Well we did it through, first, taking the best of the Governor's plan and the best of this underlying bill because as Senator McKinney said my friends on the other side of the aisle did come up with some new and good ideas for cutting spending, just not enough.

So it's taken the ones that this underlying bill



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has rejected from the Governor's plan, we have taken those from the Democratic plan and put them together. On top of those, we have added in additional cuts from the Senate Republican Caucus. The largest of these is an agency consolidation plan that we had originally proposed in our budget package last year that consolidates 23 agencies into six. We achieve almost \$90 million of savings through those consolidations and the resulting elimination of overhead, both in terms of personnel and other expenses.

We also eliminate the Citizens Election Fund which is a savings of almost \$54 million over two years. This is something that is one of those rare instances where Senator Prague and I are in complete agreement that we cannot afford to be paying for all of our bumper stickers while we have this massive deficit continuing on.

We also make changes for state employees. Where the underlying bill has one furlough day for non-union employees, we propose one furlough day a month for non-union employees, a total of 12. We also propose increased co-payments for non-union employees for their healthcare. And we instruct any collected -- collective bargaining agreement that we enter into

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after the effective date of this bill must include those and the elimination of longevity payments that are also in the underlying bill.

Now, Mr. President, we also take away some of the things that, while they're not huge dollar amounts, they are the things that, as a voter, you would look at and be outraged by. We eliminate the unsolicited mail that the legislature sends out to our constituents. We eliminate all travel allowance and reimbursement for legislators. We eliminate all drivers for people in the State of Connecticut except for the Governor.

We have a 10 percent salary reduction for all elected officials and commissioners so we share in the pain. Mr. President, these cuts, when taken together, actually allow us to eliminate the deficit without having to rely on taxes on sick people and taxes on small businesses. What we have, Mr. President, instead with the amendment that we're about to introduce is a return to common sense. A return to saying that the rhetoric that we use outside the Circle should be what we follow inside the Circle. Everyone has talked about the need for spending cuts. Here we're going to have an amendment that relies

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almost entirely on spending cuts, unlike the underlying bill which has less than 20 percent in spending cuts.

And, Mr. President, as I think about why this amendment is going to be superior I think about my own household and I think about what we've had to do in the course of this recession in terms of tightening our belts. Our individual households don't have the power to tax. We don't have the power to create a hospital tax or create a tax on small business. Instead we have to rely on cutting spending.

And therefore, Mr. President, to reflect what I believe is the will of the people of Connecticut to cut spending for real rather than relying on taxes and one-time gimmicks, I'd like to move LCO Number 2985.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 2985, which will be designated Senate Amendment Schedule A, is offered by Senator McKinney of the 28th district et al.

THE CHAIR:

Senator DeBicella.

SENATOR DEBICELLA:

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Mr. President, I move the amendment and be asked permission to summarize.

THE CHAIR:

Acting on approval of the bill, sir, please proceed.

SENATOR DEBICELLA:

The summary is exactly what I just said before I moved the bill so --

THE CHAIR:

So that means you'll sit down then?

SENATOR DEBICELLA:

That's a very succinct summary.

THE CHAIR:

Thank you.

Will you remark further? Will you remark further on --

SENATOR DEBICELLA:

Mr. President, while -- while we're awaiting other people to arrive to their seat, I would -- I would simply say that -- that this bill, the underlying bill that we have here before us tonight, is actually doing everything that we've been talking about for the last five hours in terms of cutting spending and we would like to make sure that we have a

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full debate on this even though it is a late hour.

So with that, Mr. President, I would like to  
relinquish and yield to the Minority Leader.

THE CHAIR:

Senator McKinney, do you accept the yield?

SENATOR MCKINNEY:

I do, Mr. President. Thank you.

THE CHAIR:

Please proceed.

SENATOR MCKINNEY:

Thank you.

Mr. President, I will just briefly sum up some of  
my comments earlier now that the amendment is properly  
before us. I would also ask that when the vote is  
taken it be taken by roll call.

THE CHAIR:

A roll call vote will be ordered, sir.

SENATOR MCKINNEY:

Mr. President and members of the Circle, when we  
looked at how we at this late date could come to a  
balanced budget for 2010, the members of our  
Republican Caucus obviously reached the same  
conclusion as members of the Democrat Caucus. It's  
very hard to do. I wish the date were October of 2009

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not March almost April of 2010.

Because it was around October 1st I believe where we passed implementers to implement the budget passed in September and it was I think that date, maybe September 28th or 29th around there, where our Comptroller, Nancy Wyman said the budget which you are about to pass the implementers and fully implement is going to be in deficit.

And many of the decisions that we're faced with making now as we approach April are a lot harder because we put those decisions off in October and November and December and January and February. However, we believe there's an obligation to put forward a package given the circumstances with which we are now dealt, despite our pleas and calls to work on this earlier.

So some of the principles we looked at were let's not try to cut municipal aid and this package does not call for any cuts in municipal aid, a common theme in both our packages. We also tried to come up with a package that would not continue to kick our problems down the road.

Now we do, I believe, take a \$25 million deferment in the MCO payment which is not something

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any of us want to do. But we do not and we thought as a principle should not defer the \$100 million payment into our state employee pension fund. Now I understand it was a possibility as a result of the SEBAC agreement and I understand that the state employees bargaining unit has said we're okay with the Governor deferring the payment but that doesn't mean we should do it.

And it seems to me inconsistent on the one hand for all of us to talk about and know and understand that our unfunded pension liabilities are simply unsustainable as a state. The Pew Center just did a report talking about how when you look at per capita debt and include unfunded pension liability Connecticut is number one in the country at over \$18,000 followed closely by New Jersey at some \$17,800.

California and New York remarkably are significantly lower in terms of their per capita debt, remarkable given the massive budget deficits that those two states face but we in Connecticut, when you look at our per capita debt, are significantly worth -- worse.

So we thought as a fundamental principle of

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putting this together we should not kick that \$100 million problem down the road. We should not further exacerbate an extraordinary problem facing the State of Connecticut and that is our unfunded pension liability.

The second thing we thought should be a principle is that we should not increase taxes or whether it's the hospital tax, whether it's the estate tax which, as I read it, could rise temporarily they say, on the largest estates to 20 percent. So for the largest estates when you look at a federal estate tax I think of about 45 percent going to 55, the State of Connecticut would be adding on 20 to 75 percent. My guess is those estates at 20 percent might look at seeing if they can bring all that taxable income to places like New Hampshire or Florida or others where their estate tax is zero.

One of the reasons parenthetically that estate taxes should be federally implemented, not on a state by state basis, so you don't have states competing with each other because the bottom line is we lose that competition every time.

So those are some of the very basic principles on which we did. We also -- and I do want to thank the



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Senate President, we had a number of conversations about seeing if we could reach a bipartisan agreement. We did not get there. I think it was clear that some of the principles we started out with were so fundamentally different in terms of the numbers that we couldn't get there. But we were given a copy of the majority's plan last night. That gave us a lot of time to draft it. Could you imagine where we would be at five o'clock in the morning if we didn't get that proposal last night?

But one of the other principles we did is when we -- when we get the majority party's proposal we're going to look at it line by line and any line item where they reduce spending that we agree with we're going to adopt and we're going to say we agree. And there are a significant number of your additional cuts, although we think the overall number should be much higher, but there are a number of reductions that you've proposed that have not been proposed in the Governor's package that we've adopted.

Those were the basic principles around which we did that. Now the flip side is if you're going to deal with the entire problem and not kick it down the road, you're going to have to make some difficult

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reductions in spending and that's what -- that's what this amendment -- amendment candidly does. There are a couple of difficult decisions in the Governor's package that we don't include. We don't do a five percent cut in Medicaid providers simply because we don't believe you should be taxing them and we don't believe you should be cutting them either.

But basically those are the general principles upon which we worked. I would actually say that after our package is defeated, and it will be obviously, if the majority package does not have enough votes to override the Governor's veto, I think there are some major areas of common ground here and maybe with some extremely long hours and hard work we might be able to reach a package that both caucuses in this Senate could support and I actually think there is some hope for that.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator Prague.

SENATOR PRAGUE:

Thank you, Mr. President.

I think I have enough energy left to say

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something. You know the proposal that the Republican Party in this Senate has talked about, even though we don't have a copy on our desk, some of the sections of the proposal I agree with. One in particular that Senator DeBicella mentioned is the Citizens Election Fund. At this point in time, when we don't have money for important programs, important basic needs of people, it seems to me that it's unconscionable to spend money on political campaigns. I agree with the idea. I voted for the bill but, in my opinion, \$42 million or thereabouts is not well spent if it's spent on political campaigns.

There are 33 people who are hired - accountants, lawyers, auditors - 33 people just to work on the Citizens Election Fund. That's another \$3 million. So I'm hoping that Senator McKinney's last statement that he hopes that Senate President Pro Tempore and the Minority Leader and other members of both caucuses will be able to sit down and come together on a package that will help the State of Connecticut get out of this total mess that we're in.

Thank you, Mr. President..

THE CHAIR:

Thank you.

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Will you remark?

Senator Williams.

SENATOR FRANTZ:

Thank you, Mr. President.

I rise to oppose the amendment but to praise my colleagues on the other side of the aisle, Senator McKinney and the others. Again we're all trying to solve a critical fiscal situation here. Certainly all ideas are welcome. I look forward to reviewing in detail their proposal which I understand they've been working furiously on here in the -- the past few hours and we will certainly have opportunity going forward to incorporate any good ideas that we have not seen before in future packages.

We know that after we deal with the 2010 deficit this session we will need to deal with the 2011 shortfall as well.. But I have to say that I do disagree fundamentally with some of the issues and some of the potential cuts here including, and I'll just mention one because the hour is late and I would like to see us move to a vote on this amendment, including that mentioned by my good friend and colleague Edith Prague, I disagree that eliminating the Clean Elections Fund I believe is a very bad idea.

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This legislature took a historic move forward in beginning to lessen, if not eliminate, the influence of special interests, a very critical step in this state in preserving that Clean Election structure that we have I believe is very important.

For those and many other reasons I oppose the amendment.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

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 vote 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.

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THE CLERK:

Motion is on adoption of Senate Amendment  
Schedule A.

Total number voting	36
Those voting Yea	12
Those voting Nay	24
Those absent and not voting	0

THE CHAIR:

The amendment fails.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

And speaking in -- in support of the -- of the bill, first of all, Mr. President, wanted to commend the wonderful, energetic and detailed and -- and tireless work of Senator Harp in preparing this -- this package working so hard and diligently on it together with our -- our President Pro Tempore, Senator Williams, and all -- all others who contributed to it, that it was indeed a -- a painful process. There are genuine cuts in here as the -- the minority party has -- has acknowledged and it is one that does reflect the difficulty of our -- of our fiscal situation.

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One of the things I would want to point out is in reference to the -- to the estate tax. This bill does make the change that we had talked about making for a long time and that is fixing the -- fixing the cliff problem. Raising the threshold taxable amount to \$3.5 million fixing the cliffs that had been the fundamental flaw for a long time in our estate tax. That is taken care of in this bill.

In addition we have modified some of the various fees for licenses and fishing and hunting that we know were very unpopular and people found those, in some ways, burdensome. We've -- we've heard their concerns, have -- have moderated those -- those increases and substituted increased fines for certain motor vehicle violations.

So on balance this has been a process that -- that reflects the -- the continuing reality of the struggle that we face together with just about every other state in the nation with the exception of those who have abundance of -- of resources and -- and unconventional revenue systems and revenue streams. The rest of the country is in the -- is in the same boat because we are all facing the problems created by the decline and revenue due to loss of 100,000 jobs in

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the State of Connecticut, our declining income tax revenue, our declining sales tax revenue, our declining casino revenue. All of this is the reality that we face that our problem is one of declining revenues. We have had relatively modest budgets for a number of years but our revenues have, as we know unfortunately, gone off a cliff together with those of many in the rest of the country.

So this is a -- a responsible package to address our current year deficit, to address the 2010 deficit. As Senator Williams mentioned we will, of course, be engaging in the -- in the 2011 budget adjustments also. But this -- this does represent a significant piece of the challenge ahead of us and would recommend it to the Chamber for adoption.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further?

Senator Williams.

SENATOR WILLIAMS:

Thank you, Mr. President.

I rise to support this piece of legislation and to thank very much our Majority Leader, Marty Looney,



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our Finance Chair, Eileen Daily and to thank very much our Appropriations Chair, Toni Harp.

Toni, thank you for all your very, very hard work on this. I know you -- we asked you to start looking for cuts at the end of last year and coming into this year and many other folks have contributed in that process but I'd also like to point out that many of the cuts that were in the Governor's budget that her mitigation package are in this package. I think as has been noted there are some ideas that were proposed previously by legislative Republicans that are also in this package. There are many cuts that Democrats came up with on their own that are in this package as well.

We know that this is a critical time. We know that we have to take the steps to close the gap in terms of the deficit that we have. It is not easy. The choices we make here are very important. We cannot cut the critical services that those in the greatest need depend on to live their lives and to live day to day.

At the same time we have to recognize that government must change, bureaucracies must change. We must save and create efficiencies as we have never done before. And it's not the fault of the State of

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Connecticut. It's not the fault of 49 other states that are in the same position right now. We're in the worst economic downturn in the country in our lifetime. It's affecting the United States of America. It's affecting the world.

And we can talk at length about the causes of this. Most folks look to Wall Street and devices that weren't so transparent, mortgage backed securities, derivatives, credit default swaps, the things that Warren Buffett called financial weapons of mass destruction. They've crippled our economy and we could have a long discussion about those adverse consequences.

The fact of the matter is, unfortunately we have to clean up the mess here in this state and across the country. It's tough work and we have to do it. This is a very, very important step that we take here. \$600 million closing half the gap for the entire biennium more than we need to close for 2010 but it's necessary because we need -- we know that we need to close more going forward in the next year.

So it has cuts, it has tough choices, it has consolidations of our economic development agencies that overlap. We need to get rid of the excess

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bureaucracy and overhead, moving the Department of Motor Vehicles into a more efficient mode, sliming that agency down, decentralizing it, making it more user-friendly to the people in the State of Connecticut and saving money.

That's what we have to do going forward. So I ask for your support across party lines. I ask the Governor to reconsider her ill-advised letter that she sent in the midst of our struggle to fix the financial crisis in the State of Connecticut. If she truly believed in her plan, she should have been here at this capitol, should have been here in the previous weeks fighting for it, talking to us across party lines. That has not been the case.

We are here, Democrats, Republicans, fighting for this state, making the tough choices. Governor Rell, listen to this legislature. Have the courage to join with us. Take the first step. Sign this bill. Eliminate \$600 million of our deficit and work with us to eliminate the rest of it.

I ask my colleagues to join us in this fight.

Thank you very much, Mr. President.

THE CHAIR:

Will you remark further on Senate Bill 492?

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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 vote 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 passage of Emergency Certified Bill 492.

Total number voting	36
Those voting Yea	21
Those voting Nay	15
Those absent and not voting	0

THE CHAIR:

The bill passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

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Mr. President, would move for immediate  
transmittal to the House of Representatives the Senate  
Bill -- Emergency Certified Senate Bill 492 as  
provided in our rules.

THE CHAIR:

There is a motion on the floor for immediate  
transmittal. Without objection, so ordered.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Would yield the floor this morning to anyone  
seeking recognition for purposes of announcements or  
points of personal privilege.

THE CHAIR:

At this time we'll take any announcements or  
points of personal privileges.

Guess not.

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, would wish all of the members a --  
a safe trip home this morning and a good rest for --  
for the remainder of the weekend and would move the  
Senate stand adjourned subject to the call of the

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Chair.

THE CHAIR:

The Senate will stand adjourned subject to the  
call of the Chair.

March 2

On motion of Senator Looney of the 11<sup>th</sup>, the  
Senate at 9:20 a.m., adjourned subject to the call of  
the chair.

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March 29, 2010

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THE CONNECTICUT GENERAL ASSEMBLY

SENATE

March 29, 2010

The Senate was called to order, at 10:55 a.m., in accordance with the provisions of the 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, Connecticut.

ACTING CHAPLAIN ALICE ANN JOSEPH:

Our children are a heritage, a blessing from the Lord; they bring a richness to our lives - in each, a treasure stored. Time spent with our children is time wisely invested. 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 March 29, 2010, 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 - to be tabled for the calendar and printing.

**INSURANCE AND REAL ESTATE COMMITTEE**

**SUBST. SB NO. 50 AN ACT CONCERNING ORAL CHEMOTHERAPY TREATMENTS.**

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March 29, 2010

**BANKS COMMITTEE**

**SB NO. 60** AN ACT CONCERNING A STUDY OF CERTAIN PROGRAMS ADMINISTERED BY THE CONNECTICUT HOUSING FINANCE AUTHORITY.

**COMMERCE COMMITTEE**

**SUBST. SB NO. 176** AN ACT CONCERNING THE FILM TAX CREDIT.

**GENERAL LAW COMMITTEE**

**SUBST. SB NO. 186** AN ACT CONCERNING AUTOMATIC EXTERNAL DEFIBRILLATORS IN HEALTH CLUBS.

**HIGHER EDUCATION AND EMPLOYMENT ADVANCEMENT COMMITTEE**

**SUBST. SB NO. 215** AN ACT CONCERNING VETERAN TUITION WAIVERS.

**HUMAN SERVICES COMMITTEE**

**SUBST. SB NO. 219** AN ACT CONCERNING STATE CONTRACT REDUCTIONS.

**HUMAN SERVICES COMMITTEE**

**SUBST. SB. NO. 251** AN ACT CONCERNING THE LONG-TERM CARE ADVISORY COUNCIL.

**BANKS COMMITTEE**

**SB NO. 232** AN ACT CONCERNING THE USE OF A CERTIFICATE, PROFESSIONAL DESIGNATION OR ADVERTISING IN ADVISING SENIOR CITIZENS.

**COMMERCE COMMITTEE**

**SUBST. SB NO. 261** AN ACT CONCERNING THE CONNECTICUT JOB CORPS TASK FORCE.

**PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE**

**SUBST. SB NO. 266** AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING TRANSFERRING ADULT EDUCATION PROGRAMS TO THE COMMUNITY-TECHNICAL COLLEGE SYSTEM.

**PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE**

**SB NO. 268** AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE ESTABLISHING A PILOT PROGRAM TO REWARD INSTITUTIONS



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OF HIGHER EDUCATION THAT ARE MEETING ESTABLISHED GOALS.

**PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE**

**SUBST. SB NO. 308** AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING CONNECTICUT'S ECONOMIC COMPETITIVENESS.

**HUMAN SERVICES COMMITTEE**

**SUBST. SB NO. 316** AN ACT ESTABLISHING A COMMISSION ON NONPROFIT HEALTH AND HUMAN SERVICES.

**HOUSING COMMITTEE**

**SUBST. SB NO. 319** AN ACT CONCERNING AN URBAN HOMESTEADING PILOT PROGRAM.

**COMMERCE COMMITTEE**

**SB NO. 326** AN ACT CONCERNING LOCAL TAX ABATEMENTS.

**HIGHER EDUCATION AND EMPLOYMENT ADVANCEMENT COMMITTEE**

**SUBST. SB NO. 330** AN ACT CONCERNING STUDENT EMPLOYEES AND WORKFORCE COMPETITIVENESS.

**HUMAN SERVICES COMMITTEE**

**SUBST. SB NO. 353** AN ACT ADOPTING A FOSTER PARENT BILL OF RIGHTS.

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

The Senate, at 10:58 a.m., adjourned under provisions of the Senate Rule 9(b) subject to the call of the chair.

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SENATE

March 30, 2010

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THE CONNECTICUT GENERAL ASSEMBLY

SENATE

March 30, 2010

The Senate was called to order, at 10:53 a.m., in accordance with the provisions of the 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, Marlene Desjardins, of East Hartford, Connecticut.

ACTING CHAPLAIN MARLENE DESJARDINS:

Lord, when I am confused, guide me. When I am weary, energize me. May the work that I do and the way that I do it, bring hope, life, and courage to all that I come in contact with today, I pray. 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 March 30, 2010, 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** - to be tabled for the calendar and printing.

**BANKS COMMITTEE**

**SUBST. SB NO. 54 AN ACT CONCERNING CONSUMER CREDIT LICENSES.**

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**BANKS COMMITTEE**

**SB NO. 58** AN ACT CONCERNING CONNECTICUT BANKS.

**BANKS COMMITTEE**

**SUBST. SB NO. 59** AN ACT CONCERNING BANKS AND CREDIT UNIONS.

**BANKS COMMITTEE**

**SUBST. SB NO. 236** AN ACT ESTABLISHING A CONNECTICUT SAFE HARBOR FUND.

**BANKS COMMITTEE**

**SB NO. 271** AN ACT CONCERNING THE TREASURER'S TRUST PREFERRED SECURITY PURCHASE PROGRAM.

**COMMERCE COMMITTEE**

**SUBST. SB NO. 107** AN ACT ESTABLISHING A BRADLEY DEVELOPMENT ZONE.

**COMMERCE COMMITTEE**

**SUBST. SB NO. 173** AN ACT CONCERNING ACTION PLANS FOR THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT.

**ENVIRONMENT COMMITTEE**

**SUBST. SB NO. 123** AN ACT CONCERNING THE PRESERVATION OF NATURAL VEGETATION NEAR WETLANDS AND WATERCOURSES AND CERTAIN ENHANCEMENTS TO THE INLAND WETLANDS AND WATERCOURSES ACT.

**GENERAL LAW COMMITTEE**

**SUBST. SB NO. 188** AN ACT ESTABLISHING UNIFORM PROCEDURES REGARDING NEW HOME CONSTRUCTION CONTRACTOR AND HOME IMPROVEMENT CONTRACTOR AND SALESMAN-RELATED COMPLAINTS.

**HIGHER EDUCATION AND EMPLOYMENT ADVANCEMENT COMMITTEE**

**SUBST. SB NO. 329** AN ACT CONCERNING STUDENT TUITION AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION.

**INSURANCE AND REAL ESTATE COMMITTEE**

**SUBST. SB NO. 393** AN ACT CONCERNING STANDARDS IN HEALTH CARE PROVIDER CONTRACTS.

**INSURANCE AND REAL ESTATE COMMITTEE**

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**SUBST. SB NO. 253** AN ACT CONCERNING NOTICE OF  
TERMINATION OF INDIVIDUAL TERM LIFE INSURANCE  
POLICIES FOR NONPAYMENT OF PREMIUM.

**INSURANCE AND REAL ESTATE COMMITTEE**

**SUBST. SB NO. 392** AN ACT ADJUSTING THE MINIMUM  
PROFESSIONAL LIABILITY INSURANCE CARRIED BY HEALTH  
CARE PROVIDERS.

**LABOR AND PUBLIC EMPLOYEES COMMITTEE**

**SJ NO. 311** AN ACT CONCERNING CONSTABLES AND THE  
CONNECTICUT STATE POLICE RESIDENT TROOPER PROGRAM.

**PLANNING AND DEVELOPMENT COMMITTEE**

**SUBST. SB NO. 197** AN ACT CONCERNING IN-SCHOOL  
SUSPENSIONS.

**PLANNING AND DEVELOPMENT COMMITTEE**

**SUBST. SB NO. 226** AN ACT CONCERNING ZONING  
ENFORCEMENT OFFICERS.

**PLANNING AND DEVELOPMENT COMMITTEE**

**SB NO. 244** AN ACT VALIDATING THE NOVEMBER 3, 2009,  
REFERENDUM IN THE TOWN OF COLUMBIA REGARDING  
REVISIONS TO THE CHARTER OF THE TOWN OF COLUMBIA.

**PLANNING AND DEVELOPMENT COMMITTEE**

**SB NO. 301** AN ACT CONCERNING THE SMALL TOWN ECONOMIC  
ASSISTANCE PROGRAM.

**PUBLIC HEALTH COMMITTEE**

**SUBST. SB NO 149** AN ACT CONCERNING THE GOVERNOR'S  
POWER TO MODIFY OR SUSPEND STATUTES, REGULATIONS OR  
OTHER REQUIREMENTS DURING A PUBLIC HEALTH EMERGENCY.

**TRANSPORTATION COMMITTEE**

**SUBST. SB NO. 342** AN ACT CONCERNING THE ISSUANCE OF  
A CERTIFICATE FOR THE OPERATION OF A TAXICAB AND THE  
ESTABLISHMENT OF A PENALTY FOR THE OPERATION OF A  
"GYPSY" CAB.

**TRANSPORTATION COMMITTEE**

**SUBST. SB NO. 343** AN ACT CONCERNING THE IMPROVEMENT  
OF PEDESTRIAN SAFETY AT CROSSWALKS DESIGNATED BY  
TRAFFIC AUTHORITIES.

**TRANSPORTATION COMMITTEE**

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March 30, 2010

**SUBST. SB NO. 344** AN ACT CONCERNING THE UPGRADE OR ELIMINATION OF HAZARDOUS RAILROAD CROSSINGS AT GRADE.

**TRANSPORTATION COMMITTEE**

**SB NO. 411** AN ACT CONCERNING THE REPLACEMENT OF THE BROAD STREET BRIDGE OVER THE AMTRAK RAILROAD TRACKS IN HARTFORD.

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

**EDUCATION COMMITTEE**

**SUBST. SB NO. 171** AN ACT REESTABLISHING A LICENSED PRACTICAL NURSE PROGRAM.

Referred to: Appropriations.

**EDUCATION COMMITTEE**

**SUBST. SB NO. 438** AN ACT CONCERNING CHARTER SCHOOLS AND OPEN CHOICE PROGRAM FUNDING.

Referred to: Appropriations.

**EDUCATION COMMITTEE**

**SUBST. SB NO. 440** ACT CONCERNING SCHOOL DISTRICTS AND TEACHER PERFORMANCE EVALUATION PROGRAMS.

Referred to: Appropriations.

**EDUCATION COMMITTEE**

**SUBST. SB NO. 441** AN ACT CONCERNING PARENTAL ENGAGEMENT IN SCHOOLS.

Referred to: Appropriations.

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

The Senate, at 10:57 a.m., adjourned under provisions of the Senate Rule 9(b) subject to the call of the chair.

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SENATE

March 31, 2010

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THE CONNECTICUT GENERAL ASSEMBLY

SENATE

March 31, 2010

The Senate was called to order, at 10:43 a.m., in accordance with the provisions of the 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. Fozano, of South Windsor, Connecticut.

ACTING CHAPLAIN FRANK A. FORZANO:

Turn from evil and do good that ye may abide forever; for the Lord loves what is right and forsakes not his faithful ones. 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 March 31, 2010, 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 Senate Committee(s).**

TO THE HONORABLE SENATE:

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March 31, 2010

Pursuant to Section 4-1a and 20-8a of the Connecticut General Statutes, I have the honor to nominate and, with your advice and consent, appoint, **CLOTILDE DUDLEY SMITH** of Woodbridge, to be a member of the Connecticut Medical Examining Board, as a public member, to serve a term coterminous with my term or until a successor is appointed and has qualified, whichever is longer, in succession to Susan Wernick.

**(B) EXECUTIVE 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, appoint **LISA M. CASEY** from Bristol, to be a member of the Advisory Board of the Workers' Compensation Commission, as a representative of employers, to serve a term effective April 2, 2010 and ending December 31, 2010 or until a successor is appointed and has qualified, whichever is longer, in succession to William A. Ridolfi.

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, reappoint **STEPHEN J. EDWARDS** from Easton, to be an Ad Hoc Member of the Board of Directors of the Connecticut Resources Recovery Authority, representing the Bridgeport Project, to serve a term effective July 1, 2010 and ending June 30, 2014 or until a successor is appointed and has qualified, whichever is longer.

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 **ROBIN L. JOHNSON** from Wethersfield, to be an member of the Board of Directors of the Connecticut Resources Recovery Authority to serve a term effective June 21, 2010 and ending June 20, 2014 or until a successor is appointed

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and has qualified, whichever is longer, in succession to Linda R. Savitsky.

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, appoint **GREGORY B. NOKES** from Glastonbury, to be a member of the Advisory Board of the Workers' Compensation Commission, as a representative of employers from a major general hospital, to serve a term effective June 21, 2010 and ending December 31, 2013 or until a successor is appointed and has qualified, whichever is longer, in succession to Mary O'Hara.

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 **MARK A. TILLINGER** from Bridgeport, to be an Ad Hoc Member of the Board of Directors of the Connecticut Resources Recovery Authority, representing the Bridgeport Project, to serve a term ending March 30, 2014 or until a successor is appointed and has qualified, whichever is longer.

Pursuant to Sections 4-9a and 8-244 of the Connecticut General Statutes, I have the honor to nominate and, with your advice and consent, reappoint **ROLAND JONI YOUNG, ESQUIRE** from Orange, to be Chair of the Connecticut Housing Finance Authority, effective July 1, 2010, to serve at the pleasure of the Governor.

- (2) **SENATE BILL(S) FAVORABLY REPORTED** - to be tabled for the calendar and printing.

**ENVIRONMENT COMMITTEE**

**SB NO. 120 AN ACT AUTHORIZING REVIEW OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION'S GUIDANCE STATEMENTS AND POLICIES BY THE GENERAL ASSEMBLY'S REGULATION REVIEW COMMITTEE.**

**ENVIRONMENT COMMITTEE**



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SENATE

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**SB NO. 121** AN ACT CONCERNING THE EXTENSION OF  
GENERAL PERMITS ISSUED BY THE DEPARTMENT OF  
ENVIRONMENTAL PROTECTION.

**ENERGY AND TECHNOLOGY COMMITTEE**

**SUBST. SB NO. 181** AN ACT CONCERNING RENEWABLE ENERGY  
SOURCES.

**INSURANCE AND REAL ESTATE COMMITTEE**

**SUBST. SB NO. 258** AN ACT CONCERNING DISCLOSURE OF  
DOCUMENTS AND INFORMATION CONSIDERED BY A  
UTILIZATION REVIEW COMPANY IN A FINAL DETERMINATION.

**TRANSPORTATION COMMITTEE**

**SUBST. SB NO. 340** AN ACT CONCERNING PUBLIC SERVICE  
LICENSE ENDORSEMENTS, ACTIVITY VEHICLES, AND THE  
DEFINITIONS OF "CARRIER" AND "STUDENT TRANSPORTATION  
VEHICLE."

**TRANSPORTATION COMMITTEE**

**SUBST. SB NO. 341** AN ACT CONCERNING THE LICENSING OF  
DRIVERS' SCHOOLS AND DRIVING INSTRUCTORS.

**ENVIRONMENT COMMITTEE**

**SB NO. 387** AN ACT CONCERNING SOLID AND HAZARDOUS  
WASTE AT JUNKYARDS.

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**

**SUBST. SB NO. 389** AN ACT CONCERNING THE CITIZENS'  
ELECTION PROGRAM FOR STATE-WIDE OFFICES.

**TRANSPORTATION COMMITTEE**

**SUBST. SB NO. 427** AN ACT CONCERNING THE USE OF HAND-  
HELD MOBILE TELEPHONES AND MOBILE ELECTRONIC DEVICES  
BY MOTOR VEHICLE OPERATORS.

**(3) BUSINESS FROM THE HOUSE**

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

**EDUCATION COMMITTEE**

**SUBST. HB NO. 5490** AN ACT CONCERNING THE MINIMUM  
BUDGET REQUIREMENT AND VARIOUS EDUCATION GRANTS.

Referred to: Appropriations.

ch/md/gbr  
SENATE

5

March 31, 2010

**EDUCATION COMMITTEE**

**SUBST. HB NO. 5491** AN ACT CONCERNING CERTAIN SCHOOL DISTRICT REFORMS TO REDUCE THE ACHIEVEMENT GAP IN CONNECTICUT.

Referred to: Appropriations.

**COMMERCE COMMITTEE**

**HB NO. 5501** AN ACT CONCERNING THE S.A.F.E. ACT 2009.

Referred to: Finance, Revenue and Bonding.

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

The Senate, at 10:46 a.m., adjourned under provisions of the Senate Rule 9(b) subject to the call of the chair.

ch/md/gbr  
SENATE

April 1, 2010

1

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

April 1, 2010

The Senate was called to order, at 11:06 a.m., in accordance with the provisions of the 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, Joseph A. Filippetti, of Waterford, Connecticut.

ACTING CHAPLAIN JOSEPH A. FILIPPETTI:

Grant us O God, an appreciation of our freedoms, even those of fun, sport, and relaxation. Let us be assured that these are enjoyed only after our duties to You and to others have been properly accomplished. 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 April 1, 2010, 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 Joint Committee(s).

TO THE HONORABLE GENERAL ASSEMBLY:

ch/md/gbr  
SENATE

2

April 1, 2010

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 **STUART D. BEAR** of West Hartford, 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 Joseph Flynn, who has elected to become a Senior Justice.

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

**State of Connecticut Department of Developmental Services.** Annual Mortality Report for fiscal year 2009 as required to Executive Order #25. Received March 31, 2010.

The report was referred to the Committee on Public Health.

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

**HUMAN SERVICES COMMITTEE**

**SB NO. 67** AN ACT CONCERNING THE ANNUAL BENEFITS AVAILABLE UNDER THE CHARTER OAK HEALTH PLAN.

**COMMERCE COMMITTEE**

**SB NO. 108** AN ACT CONCERNING THE CONNECTICUT DEVELOPMENT AUTHORITY'S PARTICIPATION IN CERTAIN FEDERAL LOAN AND GRANT PROGRAMS.

**COMMERCE COMMITTEE**

**SUBST. SB NO. 109** AN ACT CONCERNING THE BRADLEY BOARD OF DIRECTORS.

**ENVIRONMENT COMMITTEE**

**SB NO. 119** AN ACT CONCERNING REMEDIATION PROGRAMS OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION.

**HUMAN SERVICES COMMITTEE**

ch/md/gbr  
SENATE

April 1, 2010

**SUBST. SB NO. 152** AN ACT CONCERNING CHANGES TO THE GENERAL STATUTES CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILIES.

**HUMAN SERVICES**

**SB NO. 154** AN ACT AUTHORIZING A DIFFERENTIAL RESPONSE BY THE DEPARTMENT OF CHILDREN AND FAMILIES TO REPORTS OF CHILD ABUSE.

**INSURANCE AND REAL ESTATE COMMITTEE**

**SUBST. SB NO. 194** AN ACT CONCERNING RATE APPROVALS FOR CERTAIN HEALTH INSURANCE POLICIES.

**PLANNING AND DEVELOPMENT COMMITTEE**

**SUBST. SB NO. 200** AN ACT CONCERNING TECHNICAL AND CONFORMING CHANGES TO CERTAIN PROPERTY TAX RELIEF AND MUNICIPAL GRANT PROGRAMS.

**ENVIRONMENT COMMITTEE**

**SUBST. SB NO. 207** AN ACT CONCERNING RECENT INCREASES IN HUNTING, FISHING LICENSES, CAMPING AND STATE PARK ADMISSION FEES, INCREASING CERTAIN MOTOR VEHICLE FINES AND AUTHORIZING THE HUNTING OF DEER BY PISTOL OR REVOLVER.

**HUMAN SERVICES COMMITTEE**

**SUBST. SB NO. 218** AN ACT CONCERNING SAFE HAVEN CASES.

**PUBLIC HEALTH COMMITTEE**

**SUBST. SB NO. 248** AN ACT CONCERNING ADVERSE EVENTS AT HOSPITALS AND OUTPATIENT SURGICAL FACILITIES.

**INSURANCE AND REAL ESTATE COMMITTEE**

**SUBST. SB NO. 260** AN ACT CONCERNING HEALTH INSURANCE COVERAGE FOR ROUTINE PATIENT CARE COSTS FOR CERTAIN CLINICAL TRIAL PATIENTS.

**ENVIRONMENT COMMITTEE**

**SB NO. 267** AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING THE ROLE AND PURPOSE OF THE CONNECTICUT RESOURCES RECOVERY AUTHORITY.

**EDUCATION COMMITTEE**

ch/md/gbr  
SENATE

April 1, 2010

**SB NO. 277** AN ACT CONCERNING THE INCLUSION OF STUDENTS ON LOCAL AND REGIONAL BOARDS OF EDUCATION.

**HUMAN SERVICES COMMITTEE**

**SUBST. SB NO. 294** AN ACT CONCERNING DOCUMENTATION OF REASONABLE EFFORTS TO REUNITE A PARENT WITH A CHILD AND TO LOCATE RELATIVES.

**HUMAN SERVICES COMMITTEE**

**SUBST. SB NO. 295** AN ACT REQUIRING A RESULTS-BASED ACCOUNTABILITY REPORT CARD OF OUT-OF-STATE RESIDENTIAL TREATMENT OF JUVENILES.

**TRANSPORTATION COMMITTEE**

**SUBST. SB NO. 346** AN ACT CONCERNING THE SAFETY, LICENSING, INSPECTION AND ENFORCEMENT RESPONSIBILITIES OF THE DEPARTMENT OF MOTOR VEHICLES.

**ENERGY AND TECHNOLOGY COMMITTEE**

**SUBST. SB NO. 348** AN ACT CONCERNING THE LOW-INCOME ENERGY ADVISORY BOARD.

**ENERGY AND TECHNOLOGY COMMITTEE**

**SUBST. SB NO. 349** AN ACT CONCERNING ENERGY EFFICIENCY INVESTMENTS IN UNDERSERVED COMMUNITIES.

**ENERGY AND TECHNOLOGY COMMITTEE**

**SUBST. SB NO. 350** AN ACT CONCERNING SATELLITE TELEVISION.

**BANKS COMMITTEE**

**SUBST. SB NO. 361** AN ACT CONCERNING IMPLEMENTATION OF THE S.A.F.E. MORTGAGE LICENSING ACT.

**HUMAN SERVICES COMMITTEE**

**SB NO. 369** AN ACT CONCERNING THE ENFORCEMENT OF SURETY CONTRACTS BY NURSING HOMES.

**ENVIRONMENT COMMITTEE**

**SUBST. SB NO. 388** AN ACT CONCERNING CONNECTICUT'S ECONOMIC AND ENVIRONMENTAL FUTURE.

**COMMERCE COMMITTEE**

ch/md/gbr  
SENATE

April 1, 2010

**SUBST. SB NO. 395 AN ACT CONCERNING CONNECTICUT EXPORTS.**

**COMMERCE COMMITTEE**

**SB NO. 396 AN ACT TRIGGERING CERTAIN ECONOMIC DEVELOPMENT PROGRAMS.**

**TRANSPORTATION COMMITTEE**

**SUBST. SB NO. 407 AN ACT REQUIRING MOTORCYCLE TRAINING PRIOR TO THE ISSUANCE OF A MOTORCYCLE ENDORSEMENT.**

**TRANSPORTATION COMMITTEE**

**SUBST. SB NO. 409 AN ACT ESTABLISHING A PILOT PROGRAM USING CIVILIAN VOLUNTEERS TO ASSIST IN THE ENFORCEMENT OF STATE AND MUNICIPAL LAWS CONCERNING PARKING FOR PERSONS WITH DISABILITIES THAT LIMIT OR IMPAIR THE ABILITY TO WALK AND PERSONS WITH BLINDNESS.**

**TRANSPORTATION COMMITTEE**

**SUBST. SB NO. 410 AN ACT CONCERNING PERSONS WHO TRANSPORT PATIENTS OR CLIENTS UNDER THE CARE, CONTROL OR CUSTODY OF A STATE AGENCY.**

**TRANSPORTATION COMMITTEE**

**SUBST. SB NO. 412 AN ACT CONCERNING THE ENVIRONMENTAL IMPACT EVALUATION PREPARED FOR A STATE-OWNED AIRPORT DEVELOPMENT PROJECT, AND THE REQUIREMENTS FOR THE PREPARATION, EVALUATION AND REVIEW OF ENVIRONMENTAL IMPACT EVALUATIONS.**

**TRANSPORTATION COMMITTEE**

**SUBST. SB NO. 414 AN ACT MAKING REVISIONS TO STATUTES CONCERNING THE DEPARTMENT OF MOTOR VEHICLES.**

**COMMERCE COMMITTEE**

**SB NO. 450 AN ACT ESTABLISHING A REVOLVING LOAN FUND FOR SMALL BUSINESSES.**

**(4) BUSINESS FROM THE HOUSE**

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

ch/md/gbr  
SENATE

April 1, 2010

**ENERGY AND TECHNOLOGY COMMITTEE**  
**SUBST. HB NO. 5467 AN ACT CONCERNING CUSTOMER**  
**REBATES FOR ELECTRICITY RATEPAYERS.**

Referred to: Finance, Revenue and Bonding.

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  
the Senate Rule 9(b) subject to the call of the chair.



THE CONNECTICUT GENERAL ASSEMBLY

SENATE

Monday, April 5, 2010

The Senate was called to order at 10:28 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 Hartford, Connecticut.

ACTING CHAPLAIN ALICE ANN JOSEPH:

To honor is to show respect, to meet another's need, to give someone encouragement, to love in word and deed. 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 April 5, 2010, 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**

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

TO THE HONORABLE GENERAL ASSEMBLY

Pursuant to Section 46A-57 and 4-1, of the

ch/md/gbr  
SENATE

April 5, 2010

Connecticut General Statutes, I have the honor to nominate, and with your advice and consent, reappoint **JON P. FITZGERALD**, of Bristol, to be a Human Rights Referee to serve for a term of three years from July 1, 2010.

Pursuant to Section 46A-57 and 4-1, of the Connecticut General Statutes, I have the honor to nominate, and with your advice and consent, reappoint **J. ALLEN KERR, JR.**, of Washington, to be a Human Rights Referee to serve for a term of three years from July 1, 2010.

Pursuant to Section 46A-57 and 4-1, of the Connecticut General Statutes, I have the honor to nominate, and with your advice and consent reappoint **JEROME D. LEVINE**, of Manchester, to be a Human Rights Referee to serve for a term of three years from July 1, 2010.

Pursuant to Section 46A-57 and 4-1, of the Connecticut General Statutes, I have the honor to nominate, and with your advice and consent, reappoint **DONNA M. WILKERSON-BRILLANT**, of Cromwell, to be a Human Rights Referee to serve for a term of three years from July 1, 2010.

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

**State of Connecticut Auditors of Public Accounts.**  
Monthly report required by Section 4 33a of the Connecticut General Statutes. Received April 1, 2010.

Referred to: Appropriations, Finance, Revenue and Bonding.

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

**EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE**  
**SJ NO. 22 RESOLUTION CONFIRMING THE NOMINATION OF**  
**TERRI A. CRONIN OF NORWALK TO BE A MEMBER OF THE**  
**METRO NORTH NEW HAVEN RAIL COMMUTER COUNCIL.**

**EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE**

ch/md/gbr  
SENATE

April 5, 2010

**SJ NO. 23** RESOLUTION CONFIRMING THE NOMINATION OF  
JEFFREY STEELE OF FAIRFIELD TO BE A MEMBER OF THE  
METRO NORTH NEW HAVEN RAIL COMMUTER COUNCIL.

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

The Senate, at 10:31 a.m., adjourned under the provisions  
of the Senate Rule 9(b) subject to the call of the chair.

ch/md/gbr  
SENATE

April 6, 2010

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

Tuesday, April 6, 2010

The Senate was called to order at 10:45 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, Connecticut.

ACTING CHAPLAIN CARMELA BALDUCCI:

Lord, I thank you for the gifts you have given me. I do not take them lightly but commit to using them responsibly and well. Give me a fresh supply of truth and beauty on which to draw as I do my job. Anoint my creativity, my ideas, my energy, so that even my smallest task may bring You honor. 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 April 6, 2010, 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**

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

ch/md/gbr  
SENATE

April 6, 2010

WITHDRAWAL  
TO THE HONORABLE GENERAL ASSEMBLY:

Pursuant to Section 2-44 of the Connecticut General Statutes, I hereby withdraw the nomination of **ROBIN L. JOHNSON**, of Wethersfield, to be a member of the Board of Directors of the Connecticut Resources Recovery Authority.

- (2) **SENATE BILL(S) FAVORABLY REPORTED** - to be tabled for the calendar and printing.

**INSURANCE AND REAL ESTATE COMMITTEE**

**SUBST. SB NO. 13** AN ACT CONCERNING REAL ESTATE APPRAISAL MANAGEMENT COMPANIES.

**INSURANCE AND REAL ESTATE COMMITTEE**

**SUBST. SB NO. 93** AN ACT CONCERNING REVISIONS TO THE INSURANCE STATUTES.

**COMMERCE COMMITTEE**

**SUBST. SB NO. 178** AN ACT CONCERNING ECONOMIC INDICATORS IN ENERGY DECISIONS.

**ENERGY AND TECHNOLOGY COMMITTEE**

**SUBST. SB NO. 182** AN ACT CONCERNING REVISIONS TO THE UTILITY STATUTES.

**INSURANCE AND REAL ESTATE COMMITTEE**

**SUBST. SB NO. 192** AN ACT CONCERNING THE LISTING OF ADVANCED PRACTICE REGISTERED NURSES IN MANAGED CARE ORGANIZATION PROVIDER LISTINGS, AND PRIMARY CARE PROVIDER DESIGNATIONS.

**PLANNING AND DEVELOPMENT COMMITTEE**

**SUBST. SB NO. 201** AN ACT CONCERNING TECHNICAL REVISIONS TO THE PLANNING AND DEVELOPMENT STATUTES.

**INSURANCE AND REAL ESTATE COMMITTEE**

**SUBST. SB NO. 254** AN ACT CONCERNING DISCLOSURE OF MAXIMUM ALLOWABLE COSTS FOR PHARMACY REIMBURSEMENTS.

**INSURANCE AND REAL ESTATE COMMITTEE**

**SUBST. SB NO. 256** AN ACT CONCERNING ASSESSMENTS FOR HEALTH BENEFIT REVIEWS PERFORMED BY THE INSURANCE DEPARTMENT.

ch/md/gbr  
SENATE

April 6, 2010

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**  
**SUBST. SB NO. 285** AN ACT REQUIRING PUBLIC BIDDING  
FOR JUDICIAL DEPARTMENT PUBLIC BUILDING CONTRACTS.

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**  
**SUBST. SB NO. 289** AN ACT CONCERNING THE ONLINE  
SUBMISSION AND POSTING OF STATEMENTS OF FINANCIAL  
INTERESTS.

**PLANNING AND DEVELOPMENT COMMITTEE**  
**SUBST. SB NO. 302** AN ACT CONCERNING STATE FUNDING OF  
AFFORDABLE HOUSING LOCATED IN A FIVE-HUNDRED-YEAR  
FLOOD PLAIN.

**COMMERCE COMMITTEE**  
**SUBST. SB NO. 323** AN ACT CONCERNING ANGEL INVESTORS  
AND PROGRAMS IMPLEMENTED BY CONNECTICUT INNOVATIONS,  
INCORPORATED.

**COMMERCE COMMITTEE**  
**SB NO. 324** AN ACT CONCERNING ENERGY AND THE STATE'S  
ECONOMY.

**COMMERCE COMMITTEE**  
**SB NO. 327** AN ACT CONCERNING CONSOLIDATION OF  
ECONOMIC DEVELOPMENT ENTITIES.

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**  
**SUBST. SB NO. 366** AN ACT CONCERNING PARTICIPATION BY  
THE STAFF AND MEMBERS OF THE CITIZENS' ETHICS  
ADVISORY BOARD IN POLITICAL CAMPAIGNS.

**HUMAN SERVICES COMMITTEE**  
**SUBST. SB NO. 370** AN ACT CONCERNING MEDICAID LONG-  
TERM CARE COVERAGE FOR MARRIED COUPLES.

**ENVIRONMENT COMMITTEE**  
**SUBST. SB NO. 382** AN ACT REQUIRING BIODIESEL BLENDED  
HEATING OIL AND LOWERING THE SULFUR CONTENT OF  
HEATING OIL SOLD IN THE STATE.

**ENVIRONMENT COMMITTEE**  
**SUBST. SB NO. 383** AN ACT CONCERNING A STATE-WIDE  
WATER USE PLAN.

**PUBLIC HEALTH COMMITTEE**  
**SUBST. SB NO. 402** AN ACT CONCERNING THE BEHAVIORAL

ch/md/gbr  
SENATE

April 6, 2010

4

HEALTH PARTNERSHIP.

**ENERGY AND TECHNOLOGY COMMITTEE**

**SUBST. SB NO. 419** AN ACT REQUIRING DOCUMENTATION OF  
UTILITY ROAD CUTS.

**COMMERCE COMMITTEE**

**SB NO. 451** AN ACT CONCERNING INVESTMENT IN COMMUNITY  
BANKS.

**COMMERCE COMMITTEE**

**SB NO. 454** AN ACT CONCERNING THE INTERNAL  
ORGANIZATION OF THE DEPARTMENT OF ECONOMIC AND  
COMMUNITY DEVELOPMENT.

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

The Senate, at 10:48 a.m., adjourned under the provisions  
of the Senate Rule 9(b) subject to the call of the chair.

ch/md/gbr  
SENATE

1

April 7, 2010

## THE CONNECTICUT GENERAL ASSEMBLY

## SENATE

April 7, 2010

The Senate was called to order, at 11:14 a.m., in accordance with the provisions of the 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, Connecticut.

ACTING CHAPLAIN FRANK A. FORZANO:

Dear Lord, guard our tongues so what we say won't hurt and carelessly offend, give us the gracious speech of love, with words that soothe and heal and mend. 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 April 7, 2010, 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 Senate Committee(s).**

TO THE HONORABLE SENATE:



ch/md/gbr  
SENATE

April 7, 2010

Pursuant to Section 4-1 and 1-205 of the Connecticut General Statutes, I have the honor to nominate and, with your advice and consent, appoint **JACLYN BERNSTEIN**, from Farmington, to be a member of the Freedom of Information Commission to serve a term effective July 1, 2010 and ending June 30, 2014, or until a successor is appointed and has qualified, whichever is longer, in succession to Andrew J. O'Keefe, Esquire.

WITHDRAWAL

Pursuant to Section 2-44 of the Connecticut General Statutes, I hereby withdraw the nomination of **JONATHAN M. DAUBE**, Ed.D., from Manchester, to be a member of the Board of Trustees for Community-Technical Colleges.

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

TO THE HONORABLE GENERAL ASSEMBLY:

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 **MARK CENCI**, from Windsor Locks, to be a member of the Board of Directors of the Connecticut Resources Recovery Authority to serve a term effective June 21, 2010 and ending June 20, 2014, or until a successor is appointed and has qualified, whichever is longer, in succession to Linda R. Savitsky.

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 **PAMELA PARTRIDGE WEST**, from Farmington, to be a member of the State Board of Education to serve a term ending March 1, 2011, or until a successor is appointed and has qualified, whichever is longer, in succession to Linda McMahon.

ch/md/gbr  
SENATE

3

April 7, 2010

- (2) **SENATE BILL(S) FAVORABLY REPORTED** - to be tabled for the calendar and printing.

**HUMAN SERVICES COMMITTEE**

**SUBST. SB NO. 32** AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET RECOMMENDATIONS CONCERNING SOCIAL SERVICES.

**JUDICIARY COMMITTEE**

**SB NO. 97** AN ACT CREATING A CIVIL ACTION TO ALLOW CONTRACTORS TO RECOVER UNPAID EMPLOYEE PENSION OBLIGATIONS FROM SUBCONTRACTORS.

**PUBLIC HEALTH COMMITTEE**

**SB NO. 105** AN ACT CONCERNING LIABILITY OF NURSING HOME OWNERS FOR NEGLECT AND ABUSE OF NURSING HOME RESIDENTS.

**EDUCATION COMMITTEE**

**SB NO. 156** AN ACT CONCERNING THE TRANSFER OF EDUCATIONAL CREDITS.

**PLANNING AND DEVELOPMENT COMMITTEE**

**SUBST. SB NO. 167** AN ACT CONCERNING INDEMNIFICATION OF CERTAIN POLICE OFFICERS.

**PLANNING AND DEVELOPMENT COMMITTEE**

**SB NO. 216** AN ACT CONCERNING EMPLOYMENT OF PRIVATE DETECTIVES BY MUNICIPALITIES.

**PLANNING AND DEVELOPMENT COMMITTEE**

**SUBST. SB NO. 227** AN ACT CONCERNING THE UNAUTHORIZED USE OF ALL-TERRAIN VEHICLES AND SNOWMOBILES.

**PUBLIC HEALTH COMMITTEE**

**SUBST. SB NO. 233** AN ACT CONCERNING THE DISCHARGE OF PATIENTS FOR, NONPAYMENT OF APPLIED INCOME.

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**

**SUBST. SB NO. 241** AN ACT CONCERNING THE DEPARTMENT OF ADMINISTRATIVE SERVICES AND PREQUALIFICATION AND EVALUATION OF CONTRACTORS.

**HUMAN SERVICES COMMITTEE**

**SUBST. SB NO. 269** AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING AN INITIATIVE TO SHARE AGENCY DATA TO PROMOTE THE WELL-BEING OF

ch/md/gbr  
SENATE

April 7, 2010

CHILDREN AND FAMILIES.

**EDUCATION COMMITTEE**

**SUBST. SB NO. 275** AN ACT CONCERNING THE  
RECOMMENDATIONS BY THE LEGISLATIVE COMMISSIONERS FOR  
TECHNICAL REVISIONS TO THE EDUCATION STATUTES.

**HUMAN SERVICES COMMITTEE**

**SB NO. 283** AN ACT CONCERNING AUDITS BY THE  
DEPARTMENT OF SOCIAL SERVICES.

**HUMAN SERVICES COMMITTEE**

**SUBST. SB NO. 292** AN ACT CONCERNING HOMELESS YOUTH.

**HUMAN SERVICES COMMITTEE**

**SUBST. SB NO. 296** AN ACT CONCERNING VISITATION  
BETWEEN A PARENT AND A CHILD IN CASES INVOLVING THE  
DEPARTMENT OF CHILDREN AND FAMILIES.

**PLANNING AND DEVELOPMENT COMMITTEE**

**SUBST. SB NO. 300** AN ACT CONCERNING FAMILY AND  
MEDICAL LEAVE BENEFITS FOR CERTAIN MUNICIPAL  
EMPLOYEES.

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**

**SUBST. SB NO. 314** AN ACT CONCERNING MILITARY OR  
VETERAN STATUS ON STATE-ISSUED FORMS AND  
PUBLICATIONS, BENEFITS FOR VETERANS AND STATE  
EMPLOYEES CALLED TO ACTIVE SERVICE AND THE  
DISPOSITION OF REMAINS OF MEMBERS OF THE ARMED  
FORCES.

**COMMERCE COMMITTEE**

**SUBST. SB NO. 325** AN ACT REPEALING CERTAIN STATUTES  
RELATED TO THE DEPARTMENT OF ECONOMIC AND COMMUNITY  
DEVELOPMENT.

**PLANNING AND DEVELOPMENT COMMITTEE**

**SUBST. SB NO. 338** AN ACT CONCERNING THE PROCESSING  
OF DEPARTMENT OF ENVIRONMENTAL PROTECTION PERMITS.

**EDUCATION COMMITTEE**

**SUBST. SB NO. 380** AN ACT CONCERNING EARLY CHILDHOOD  
EDUCATION CREDENTIALING FOR SCHOOL READINESS  
PROGRAMS FOR 2015.

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**

ch/md/gbr  
SENATE

April 7, 2010

**SB NO. 398** AN ACT CONCERNING TECHNICAL REVISIONS TO  
THE CITIZENS' ELECTION PROGRAM.

**PUBLIC HEALTH COMMITTEE**

**SB NO. 401** AN ACT CONCERNING AN INITIATIVE TO  
INCREASE AND IMPROVE THE STATE'S HEALTH CARE  
WORKFORCE.

**PUBLIC HEALTH COMMITTEE**

**SUBST. SB NO. 403** AN ACT CONCERNING HEALTH  
INFORMATION TECHNOLOGY.

**EDUCATION COMMITTEE**

**SB NO. 439** AN ACT CONCERNING THE STUDY OF  
EDUCATIONAL STABILITY FOR CHILDREN IN FOSTER CARE.

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

The Senate, at 11:17 a.m., adjourned under provisions of  
the Senate Rule 9(b) subject to the call of the chair.

ch/md/gbr  
SENATE

April 8, 2010

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

April 8, 2010

The Senate was called to order, at 3:10 p.m., in accordance with the provisions of the 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, Jessica Silber, of Trumbull, Connecticut.

ACTING CHAPLAIN JESSICA SILBER:

Grant us O God, an appreciation of our freedom, even those of fun, sport, and relaxation. Let us be assured that those are enjoyed only after our duties to You and to others have been properly accomplished. 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 April 8, 2010, 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 Senate Committee(s).**

TO THE HONORABLE SENATE:

ch/md/gbr  
SENATE

April 8, 2010

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Pursuant to Section 4-1 and 1-205 of the Connecticut General Statutes, I have the honor to nominate and, with your advice and consent, appoint, **AMY J. LIVOLSI**, ESQUIRE, from Stamford, to be a member of the Freedom of Information Commission to serve a term ending June 30, 2011, or until a successor is appointed and has qualified, whichever is longer, in succession to Dennis E. O'Connor.

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

WITHDRAWAL

TO THE HONORABLE GENERAL ASSEMBLY:

Pursuant to Section 2-44 of the Connecticut General Statutes, I hereby withdraw the nomination of **MARK CENCI** from Windsor Locks, to be a member of the Board of Directors of the Connecticut Resources Recovery Authority.

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

**State of Connecticut Department of Correction.** An act concerning the rights of inmates with mental illness in accordance with Public Act 07-216. Received April 7, 2010.

Referred to: Judiciary, Public Health, and Appropriations.

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

**EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE**  
**SR NO. 14 RESOLUTION CONFIRMING THE NOMINATION OF**  
**CLOTILDE DUDLEY SMITH OF WOODBRIDGE TO BE A MEMBER**  
**OF THE CONNECTICUT MEDICAL EXAMINING BOARD.**

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

April 8, 2010

**EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE**

**SJ NO. 24** RESOLUTION CONFIRMING THE NOMINATION OF STEPHEN J. EDWARDS, OF EASTON, TO BE AN AD HOC MEMBER OF THE BOARD OF DIRECTORS OF THE CONNECTICUT RESOURCES RECOVERY AUTHORITY.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE**

**SJ NO. 25** RESOLUTION CONFIRMING THE NOMINATION OF ROLAND JONI YOUNG, ESQUIRE, OF ORANGE, TO BE CHAIRPERSON OF THE CONNECTICUT HOUSING FINANCE AUTHORITY.

**JUDICIARY COMMITTEE**

**SJ NO. 26** RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE THOMAS G. WEST, OF DANBURY, TO BE A STATE REFEREE.

**JUDICIARY COMMITTEE**

**SJ NO. 27** RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE DAVID R. TOBIN, OF OLD GREENWICH, TO BE A JUDGE OF THE SUPERIOR COURT.

**JUDICIARY COMMITTEE**

**SJ NO. 28** RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE STANLEY NOVACK, OF STAMFORD, TO BE A STATE REFEREE.

**JUDICIARY COMMITTEE**

**SJ NO. 29** RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE HOWARD J. MORAGHAN, OF NEW MILFORD, TO BE A STATE REFEREE.

**JUDICIARY COMMITTEE**

**SJ NO. 30** RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE L. SCOTT MELVILLE, OF BRIDGEPORT, TO BE A STATE REFEREE.

**JUDICIARY COMMITTEE**

**SJ NO. 31** RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE ROBERT J. HALE, OF GLASTONBURY, TO BE A STATE REFEREE.

**JUDICIARY COMMITTEE**

**SJ NO. 32** RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE ARTHUR C. HADDEN, OF BRANFORD, TO BE A JUDGE OF THE SUPERIOR COURT.

ch/md/gbr  
SENATE

April 8, 2010

**JUDICIARY COMMITTEE**

**SJ NO. 33** RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE FREDERICA S. BRENNEMAN, OF WESTPORT, TO BE A STATE REFEREE.

**JUDICIARY COMMITTEE**

**SJ NO. 34** RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE JAMES M. BENTIVEGNA, OF AVON, TO BE A JUDGE OF THE SUPERIOR COURT.

- (5) **SENATE BILL(S) FAVORABLY REPORTED** - to be tabled for the calendar and printing.

**COMMERCE COMMITTEE**

**SB NO. 22** AN ACT CONCERNING SMALL BUSINESS ASSISTANCE.

**COMMERCE COMMITTEE**

**SUBST. SB NO. 23** AN ACT ESTABLISHING A QUALIFIED SMALL BUSINESS JOB CREATION TAX CREDIT.

**ENVIRONMENT COMMITTEE**

**SUBST. SB NO. 124** AN ACT CONCERNING LONG ISLAND SOUND AND COASTAL PERMITTING.

**ENVIRONMENT COMMITTEE**

**SUBST. SB NO. 174** AN ACT CONCERNING THE STANDARDS OF WATER QUALITY.

**COMMERCE COMMITTEE**

**SUBST. SB NO. 177** AN ACT CONCERNING VENDING MACHINE SALES.

**ENERGY AND TECHNOLOGY COMMITTEE**

**SB NO. 180** AN ACT ELIMINATING THE SUNSET FOR THE RESIDENTIAL ENERGY CONSERVATION SERVICE PROGRAM.

**PLANNING AND DEVELOPMENT COMMITTEE**

**SUBST. SB NO. 199** AN ACT CONCERNING THE STATE PLAN OF CONSERVATION AND DEVELOPMENT.

**ENERGY AND TECHNOLOGY COMMITTEE**

**SUBST. SB NO. 203** AN ACT PERMITTING CONDOMINIUM ASSOCIATIONS TO BENEFIT FROM CLEAN ENERGY FUND PROGRAMS.



ch/md/gbr  
SENATE

April 8, 2010

**PUBLIC HEALTH COMMITTEE**

**SUBST. SB NO. 234** AN ACT CONCERNING NOTIFICATION OF FINANCIAL STABILITY OF NURSING HOME FACILITIES AND MANAGED RESIDENTIAL COMMUNITIES TO PATIENTS AND RESIDENTS.

**ENVIRONMENT COMMITTEE**

**SUBST. SB NO. 274** AN ACT PROHIBITING THE UNREASONABLE CONFINEMENT AND TETHERING OF DOGS.

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**

**SB NO. 286** AN ACT CONCERNING THE DUTIES OF THE DEPARTMENT OF INFORMATION TECHNOLOGY.

**PLANNING AND DEVELOPMENT COMMITTEE**

**SUBST. SB NO. 303** AN ACT RETURNING A PORTION OF THE HOTEL SALES TAX TO MUNICIPALITIES.

**PLANNING AND DEVELOPMENT COMMITTEE**

**SUBST. SB NO. 305** AN ACT ESTABLISHING AN OPTIONAL MUNICIPAL PROPERTY TAX RELIEF PROGRAM FOR PROPERTY OWNERS WHO PRESERVE AND MAINTAIN STONE WALLS.

**HUMAN SERVICES COMMITTEE**

**SUBST. SB NO. 315** AN ACT CONCERNING THE SEXUAL ASSAULT OF PERSONS WHOSE ABILITY TO COMMUNICATE LACK OF CONSENT IS SUBSTANTIALLY IMPAIRED.

**PLANNING AND DEVELOPMENT COMMITTEE**

**SUBST. SB NO. 337** AN ACT ESTABLISHING A MUNICIPAL POSTEMPLOYMENT BENEFIT PLAN DEFICIT FUNDING BONDS PILOT PROGRAM.

**PLANNING AND DEVELOPMENT COMMITTEE**

**SUBST. SB NO. 339** AN ACT AUTHORIZING MUNICIPALITIES TO COLLECT THE MARIJUANA AND CONTROLLED SUBSTANCES TAX.

**ENERGY AND TECHNOLOGY COMMITTEE**

**SUBST. SB NO. 352** AN ACT CONCERNING TELECOMMUNICATIONS PROVIDERS' SUBSCRIBER LISTS.

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**

**SUBST. SB NO. 362** AN ACT STREAMLINING STATE GRANT DISTRIBUTION.

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SENATE

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**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**  
**SUBST. SB NO. 363** AN ACT CONCERNING POLLING PLACES  
FOR PRIMARIES.

**ENVIRONMENT COMMITTEE**  
**SUBST. SB NO. 385** AN ACT CREATING INCENTIVES FOR THE  
DEVELOPMENT OF SOLAR ENERGY.

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**  
**SB NO. 390** AN ACT CONCERNING COOPERATIVE PURCHASING  
PLANS.

**HUMAN SERVICES COMMITTEE**  
**SUBST. SB NO. 391** AN ACT CONCERNING CHILD CARE  
SUBSIDIES FOR THE UNEMPLOYED UNDER THE CARE 4 KIDS  
PROGRAM.

**PLANNING AND DEVELOPMENT COMMITTEE**  
**SUBST. SB NO. 394** AN ACT CONCERNING THE GOVERNANCE  
OF THE CONNECTICUT RESOURCES RECOVERY AUTHORITY.

**PUBLIC HEALTH COMMITTEE**  
**SB NO. 400** AN ACT CONCERNING INSURANCE REIMBURSEMENT  
PAYMENTS TO SCHOOL-BASED HEALTH CENTERS.

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**  
**SB NO. 422** AN ACT CONCERNING THE DEPARTMENT OF  
ADMINISTRATIVE SERVICES' PILOT PROGRAM.

**PUBLIC HEALTH COMMITTEE**  
**SUBST. SB NO. 428** AN ACT CONCERNING REVISIONS TO THE  
PUBLIC HEALTH RELATED STATUTES.

**COMMERCE COMMITTEE**  
**SUBST. SB NO. 452** AN ACT REQUIRING THE DEPARTMENT OF  
ECONOMIC AND COMMUNITY DEVELOPMENT TO ESTABLISH  
METRICS TO MEASURE THE OUTREACH EFFORTS OF THE  
STATE'S ECONOMIC DEVELOPMENT ENTITIES.

**COMMERCE COMMITTEE**  
**SUBST. SB NO. 453** AN ACT CONCERNING THE STATE'S  
REGULATORY ENVIRONMENT.

**COMMERCE COMMITTEE**  
**SUBST. SB NO. 455** AN ACT CONCERNING THE CONNECTICUT  
SPORTS AND MARKETING CORPORATION.

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SENATE

April 8, 2010

**EDUCATION COMMITTEE**

**SUBST. SB NO. 456** AN ACT CONCERNING STUDENT ATHLETES AND CONCUSSIONS.

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**

**SB NO. 466** AN ACT CONCERNING FEDERAL FUNDS.

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**

**SB NO. 468** AN ACT CONCERNING THE DEPARTMENT OF PUBLIC WORKS AND A REPORT OF UNEXPENDED BOND PROCEEDS.

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**

**SB NO. 469** AN ACT CONCERNING THE COMMISSION ON ENHANCING AGENCY OUTCOMES.

**(6) BUSINESS FROM THE HOUSE**

- (A) HOUSE JOINT RESOLUTION(S) FAVORABLY REPORTED** - to be tabled for the calendar.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE**

**HJ NO. 66** RESOLUTION CONFIRMING THE NOMINATION OF LINDA P. PASSANISI, OF MIDDLETOWN, TO BE A MEMBER OF THE ADVISORY BOARD OF THE WORKERS' COMPENSATION COMMISSION.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE**

**HJ NO. 67** RESOLUTION CONFIRMING THE NOMINATION OF CHARLES F. SENICH, ESQUIRE, OF WOODBURY, TO BE A MEMBER OF THE JUDICIAL REVIEW COUNCIL AS AN ALTERNATE WORKERS' COMPENSATION COMMISSIONER.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE**

**HJ NO. 68** RESOLUTION CONFIRMING THE NOMINATION OF MICHELLE D. TRUGLIA, ESQUIRE, OF STAMFORD, TO BE A MEMBER OF THE JUDICIAL REVIEW COUNCIL AS AN ALTERNATE WORKERS' COMPENSATION COMMISSIONER.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE**

**HJ NO. 69** RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE SANDRA SOSNOFF BAIRD, OF NEW HAVEN, TO BE A MEMBER OF THE JUDICIAL REVIEW COUNCIL AS AN ALTERNATE FAMILY SUPPORT MAGISTRATE.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE**

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SENATE

April 8, 2010

**HJ NO. 70** RESOLUTION CONFIRMING THE NOMINATION OF JACK H. TESTANI, OF TRUMBULL, TO BE A MEMBER OF THE METRO NORTH NEW HAVEN RAIL COMMUTER COUNCIL.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE**

**HJ NO. 71** RESOLUTION CONFIRMING THE NOMINATION OF LUKE SCHNIRRING, OF NORWALK, TO BE A MEMBER OF THE METRO NORTH NEW HAVEN RAIL COMMUTER COUNCIL.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE**

**HJ NO. 72** RESOLUTION CONFIRMING THE NOMINATION OF MARTIN B. BURKE, ESQUIRE, OF ROCKVILLE, TO BE A MEMBER OF THE JUDICIAL REVIEW COUNCIL AS AN ALTERNATE ATTORNEY.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE**

**HJ NO. 73** RESOLUTION CONFIRMING THE NOMINATION OF JAY A. DIRNBERGER, OF WESTPORT, TO BE A MEMBER OF THE JUDICIAL REVIEW COUNCIL AS AN ALTERNATE PUBLIC MEMBER.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE**

**HJ NO. 74** RESOLUTION CONFIRMING THE NOMINATION OF DOT KELLY, OF DARIEN, TO BE A MEMBER OF THE CONNECTICUT RESOURCES RECOVERY AUTHORITY BOARD OF DIRECTORS.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE**

**HJ NO. 75** RESOLUTION CONFIRMING THE NOMINATION OF STEPHEN CASHMAN, OF WINDSOR, TO BE A MEMBER OF THE STATE ELECTIONS ENFORCEMENT COMMISSION.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE**

**HJ NO. 76** RESOLUTION CONFIRMING THE NOMINATION OF JEFFREY MARON, OF STAMFORD, TO BE A MEMBER OF THE METRO NORTH NEW HAVEN RAIL COMMUTER COUNCIL.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE**

**HJ NO. 78** RESOLUTION CONFIRMING THE NOMINATION OF PATRICIA J. CHRISTIANA, OF MANCHESTER, TO BE A MEMBER OF THE BOARD OF GOVERNORS OF HIGHER EDUCATION.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE**

**HJ NO. 79** RESOLUTION CONFIRMING THE NOMINATION OF STEPHEN J. LITKE, OF NAUGATUCK, TO BE A MEMBER OF

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SENATE

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April 8, 2010

THE JUDICIAL REVIEW COUNCIL AS AN ALTERNATE PUBLIC MEMBER.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE**

**HJ NO. 80** RESOLUTION CONFIRMING THE NOMINATION OF ROGER J. CIRELLA, OF ANSONIA, TO BE A MEMBER OF THE METRO NORTH NEW HAVEN RAIL COMMUTER COUNCIL.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE**

**HJ NO. 81** RESOLUTION CONFIRMING THE NOMINATION OF ROBERT R. MORAN, JR., ESQUIRE, OF SIMSBURY, TO BE A MEMBER OF THE JUDICIAL REVIEW COUNCIL AS AN ALTERNATE ATTORNEY.

**(B) HOUSE BILL(S) FAVORABLY REPORTED** - to be tabled for the calendar.

**PLANNING AND DEVELOPMENT COMMITTEE**

**HB NO. 5011** AN ACT EXTENDING THE EFFECTIVE DATE FOR CERTAIN INTERLOCAL RISK MANAGEMENT POOLS.

**BANKS COMMITTEE**

**SUBST. HB NO. 5114** AN ACT APPLYING THE PROVISIONS OF THE CONNECTICUT UNIFORM SECURITIES ACT TO THE REQUIREMENT THAT BROKER DEALERS COMPLY WITH THE CURRENCY AND FOREIGN TRANSACTIONS REPORTING ACT.

**GENERAL LAW COMMITTEE**

**SUBST. HB NO. 5138** AN ACT MAKING MINOR AND TECHNICAL REVISIONS TO DEPARTMENT OF CONSUMER PROTECTION STATUTES.

**INSURANCE AND REAL ESTATE COMMITTEE**

**SUBST. HB NO. 5219** AN ACT EXTENDING STATE CONTINUATION OF HEALTH INSURANCE COVERAGE.

**JUDICIARY COMMITTEE**

**HB NO. 5250** AN ACT CONCERNING THE BOARD OF PARDONS AND PAROLES.

**JUDICIARY COMMITTEE**

**HB NO. 5251** AN ACT CONCERNING PAYMENT OF THE COSTS OF FORENSIC SEXUAL ASSAULT EVIDENCE EXAMINATIONS.

**PUBLIC SAFETY AND SECURITY COMMITTEE**

**HB NO. 5263** AN ACT CONCERNING PROMOTIONS FOR RETIRED VETERANS.

ch/md/gbr  
SENATE

April 8, 2010

**TRANSPORTATION COMMITTEE**

**HB NO. 5265** AN ACT CONCERNING THE EXPIRATION OF DRIVER'S LICENSES ISSUED TO MEMBERS OF THE ARMED FORCES.

**PUBLIC HEALTH COMMITTEE**

**HB NO. 5292** AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDED TECHNICAL CHANGES TO THE PUBLIC HEALTH STATUTES.

**APPROPRIATIONS COMMITTEE**

**HB NO. 5391** AN ACT CONCERNING QUASI-PUBLIC AGENCY COMPLIANCE AUDITS.

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

The Senate, at 3:28 p.m., adjourned under provisions of the Senate Rule 9(b) subject to the call of the chair.

ch/md/gbr  
SENATE

April 9, 2010

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THE CONNECTICUT GENERAL ASSEMBLY

SENATE

Friday, April 9, 2010

The Senate was called to order at 11:18 a.m., in accordance with the provisions of Senate Rule 9(b), and under the authority of the President Pro Tempore and the Senator Minority Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to acting chaplain, Renee J. Simmons, of Bloomfield, Connecticut.

ACTING CHAPLAIN RENEE J. SIMMONS:

Almighty God, make us always mindful of Your presence in our lives and in our work. 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 April 9, 2010, 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) BUSINESS FROM THE HOUSE**

**(A) HOUSE BILL(S) FAVORABLY REPORTED** - to be tabled for the calendar.

**INSURANCE AND REAL ESTATE COMMITTEE**

**SUBST. HB NO. 5002 AN ACT CONCERNING PREMIUM QUOTES AND INFORMATION FOR SMALL EMPLOYER HEALTH INSURANCE COVERAGE. (As amended by House Amendment Schedule**

ch/md/gbr  
SENATE

April 9, 2010

"A" (LCO 2440))

**LABOR AND PUBLIC EMPLOYEES COMMITTEE**

**HB NO. 5201** AN ACT CONCERNING INTEREST PENALTIES ON LATE PAYMENT OF ASSESSMENTS TO THE SECOND INJURY FUND. (As amended by House Amendment Schedule "A" (LCO 3071))

**PUBLIC SAFETY AND SECURITY COMMITTEE**

**HB NO. 5264** AN ACT CONCERNING THE DUTIES OF THE ADJUTANT GENERAL. (As amended by House Amendment Schedule "A" (LCO 3119))

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

The Senate, at 11:21 a.m., adjourned under the provisions of the Senate Rule 9(b) subject to the call of the chair.



ch/md/gbr  
SENATE

April 12, 2010

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

April 12, 2010

The Senate was called to order, at 10:28 a.m., in accordance with the provisions of the 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, Connecticut.

ACTING CHAPLAIN ALICE ANN JOSEPH:

Lord, let us not put off for tomorrow what we can do today; postponement may bring sorrow, prompt action is the way. 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, April 12, 2010, 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 Senate Committee(s).

WITHDRAWAL

TO THE HONORABLE SENATE:

ch/md/gbr  
SENATE

April 12, 2010

Pursuant to Section 2-44 of the Connecticut General Statutes, I hereby withdraw the nomination of **JACLYN BERNSTEIN** from Farmington, to be a member of the Freedom of Information Commission.

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

TO THE HONORABLE GENERAL ASSEMBLY:

AMENDED

Pursuant to Section 46A-57 and 4-1, of the Connecticut General Statutes, and Public Act 09-07 of the September 2009 Special Session, I have the honor to nominate and, with your advice and consent, reappoint, **JON P. FITZGERALD**, of Bristol, to be a Human Rights Referee to serve for a term of one year from July 1, 2010 to June 30, 2011.

AMENDED

Pursuant to Section 46A-57 and 4-1, of the Connecticut General Statutes, and Public Act 09-07 of the September 2009 Special Session, I have the honor to nominate and, with your advice and consent, reappoint, **J. ALLEN KERR, JR.**, of Washington, to be a Human Rights Referee to serve for a term of one year from July 1, 2010 to June 30, 2011.

AMENDED

Pursuant to Section 46A-57 and 4-1, of the Connecticut General Statutes, and Public Act 09-07 of the September 2009 Special Session, I have the honor to nominate and, with your advice and consent, reappoint, **JEROME LEVINE**, of Manchester, to be a Human Rights Referee to serve for a term of one year from July 1, 2010 to June 30, 2011.

AMENDED

ch/md/gbr  
SENATE

April 12, 2010

Pursuant to Section 46A-57 and 4-1, of the Connecticut General Statutes, and Public Act 09-07 of the September 2009 Special Session, I have the honor to nominate and, with your advice and consent, reappoint, **DONNA M. WILKERSON-BRILLANT**, of Cromwell, to be a Human Rights Referee to serve for a term of one year from July 1, 2010 to June 30, 2011.

- (2) **SENATE BILL(S) FAVORABLY REPORTED** to be tabled for the calendar and printing.

**JUDICIARY COMMITTEE**

**SUBST. SB NO. 153** AN ACT PROVIDING A SAFE HARBOR FOR EXPLOITED CHILDREN.

**EDUCATION COMMITTEE**

**SUBST. SB NO. 278** AN ACT CONCERNING TRUANCY.

**PUBLIC HEALTH COMMITTEE**

**SUBST. SB NO. 270** AN ACT CONCERNING THE PROHIBITION OF CERTAIN GIFTS FROM PHARMACEUTICAL AND MEDICAL DEVICE MANUFACTURING COMPANIES TO HEALTH CARE PROVIDERS.

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**

**SB NO. 306** AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING WHISTLEBLOWERS.

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**

**SUBST. SB NO. 347** AN ACT CONCERNING CONTRACTUAL BIDDING PREFERENCES FOR VETERAN-OWNED BUSINESSES.

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**

**SUBST. SB NO. 365** AN ACT CONCERNING THE POSTING OF PUBLIC AGENCY MINUTES AND LEGAL NOTICES ON THE INTERNET WEB SITE OF A MUNICIPALITY.

**ENERGY AND TECHNOLOGY COMMITTEE**

**SUBST. SB NO. 417** AN ACT CONCERNING CALL CENTERS AND THE TIMELY REPAIR OF PUBLIC UTILITY POLES.

**ENERGY AND TECHNOLOGY COMMITTEE**

**SUBST. SB NO. 418** AN ACT CONCERNING AUDIT OF THE STATE'S TELECOMMUNICATIONS EXPENSES AND CERTAIN FILINGS WITH THE DEPARTMENT OF PUBLIC UTILITY CONTROL.

ch/md/gbr  
SENATE

April 12, 2010

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**  
**SUBST. SB NO. 421 AN ACT CONCERNING ELECTIONS.**

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**  
**SUBST. SB NO. 423 AN ACT CONCERNING RECOMMENDATIONS OF**  
**THE CONNECTICUT TOWN CLERKS CONCERNING ELECTION LAWS.**

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**  
**SB NO. 425 AN ACT CONCERNING NONPARTISAN MEMBERSHIP ON**  
**BOARDS OF EDUCATION.**

**ENERGY AND TECHNOLOGY COMMITTEE**  
**SUBST. SB NO. 462 AN ACT CONCERNING POWER PLANT**  
**SAFETY.**

**ENERGY AND TECHNOLOGY COMMITTEE**  
**SUBST. SB NO. 463 AN ACT CONCERNING FINANCING OF**  
**ENERGY EFFICIENCY AND RENEWABLE ENERGY.**

**ENERGY AND TECHNOLOGY COMMITTEE**  
**SUBST. SB NO. 465 AN ACT CONCERNING THE REGULATION OF**  
**UNDERGROUND PROPANE STORAGE TANK COMPANIES.**

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**  
**SUBST. SB NO. 467 AN ACT ESTABLISHING THE LEAN**  
**GOVERNMENT STEERING COMMITTEE.**

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**  
**SB NO. 470 AN ACT CONCERNING ECONOMIC DEVELOPMENT**  
**AGENCIES.**

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**  
**SB NO. 471 AN ACT CONCERNING THE DEPARTMENT OF**  
**INFORMATION TECHNOLOGY.**

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**  
**SUBST. SB NO. 473 AN ACT CONCERNING STATE CONTRACTING,**  
**A PILOT PROGRAM AND THE PREQUALIFICATION OF**  
**CONTRACTORS.**

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

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SENATE

April 12, 2010

The Senate, at 10:31 a.m., adjourned under the provisions of the Senate Rule 9(b) subject to the call of the chair.

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

April 13, 2010

The Senate was called to order, at 11:03 a.m., in accordance with the provisions of the 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, Connecticut.

ACTING CHAPLAIN RENE E J. SIMMONS:

Lord, may I never take the gift of freedom for granted. You gave me the blessing of freedom of spirit. Fill my spirit with Your peace and Your joy. 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, April 13, 2010, 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 Department of Social Services.**  
Annual Report Supplemental Nutrition Assistance Program (SNAP) Employment and Training Program in accordance with the provisions of PA 08-161.  
Received April 12, 2010.

Referred to: Appropriations and Human Services.

- (2) **SENATE BILL(S) FAVORABLY REPORTED** - to be tabled for the calendar and printing.

**JUDICIARY COMMITTEE**

**SUBST. SB NO. 151** AN ACT LIMITING THE INDEMNIFICATION OF FIRE SERVICE INSTRUCTORS.

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**

**SUBST. SB NO. 175** AN ACT ESTABLISHING THE CONNECTICUT COMPETITIVENESS COUNCIL.

**JUDICIARY COMMITTEE**

**SUBST. SB NO. 225** AN ACT CONCERNING THE DUTIES OF A MORTGAGEE IN A FORECLOSURE ACTION ON RESIDENTIAL REAL PROPERTY.

**JUDICIARY COMMITTEE**

**SB NO. 250** AN ACT CONCERNING ANATOMICAL GIFTS.

**JUDICIARY COMMITTEE**

**SB NO. 272** AN ACT CONCERNING DRUNK BOATING.

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**

**SUBST. SB NO. 284** AN ACT CREATING A DIVISION OF ADMINISTRATIVE HEARINGS.

**JUDICIARY COMMITTEE**

**SB NO. 333** AN ACT CONCERNING THE VALIDATION OF CERTAIN MARRIAGES AND CIVIL UNIONS.

**APPROPRIATIONS COMMITTEE**

**SB NO. 357** AN ACT CONCERNING REDUCTIONS TO STATE CONTRACTS.

**APPROPRIATIONS COMMITTEE**

**SUBST. SB NO. 359** AN ACT CONCERNING REPORTING BY STATE AGENCIES.

**APPROPRIATIONS COMMITTEE**

**SUBST. SB NO. 360** AN ACT CONCERNING FLEXIBLE SPENDING ACCOUNTS.

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**

**SUBST. SB NO. 424** AN ACT CONCERNING AGENCY CONSOLIDATION AND THE CREATION OF THE HEALTH AND HUMAN SERVICES CONSOLIDATION STEERING COMMITTEE AND THE EXTENSION OF A PILOT PROGRAM.

**JUDICIARY COMMITTEE**

**SUBST. SB NO. 426** AN ACT CONCERNING THE CONNECTICUT UNIFORM ADULT PROTECTIVE PROCEEDINGS JURISDICTION ACT.

**FINANCE, REVENUE AND BONDING COMMITTEE**

**SB NO. 431** AN ACT CONCERNING COLLATERAL FOR SECURITIES LENDING BY THE STATE TREASURER.

**FINANCE, REVENUE AND BONDING COMMITTEE**

**SUBST. SB NO. 433** AN ACT CONCERNING THE BURDEN OF PROOF IN TAX APPEALS.

**FINANCE, REVENUE AND BONDING COMMITTEE**

**SUBST. SB NO. 434** AN ACT CONCERNING THE REAL ESTATE CONVEYANCE TAX.

**FINANCE, REVENUE AND BONDING COMMITTEE**

**SB NO. 443** AN ACT CONCERNING THE CANCELLATION OF UNISSUED BOND FUND AUTHORIZATIONS.

**JUDICIARY COMMITTEE**

**SB NO. 457** AN ACT CONCERNING THE DEPARTMENT OF CORRECTION.

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 the Senate Rule 9(b) subject to the call of the chair.



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THE CONNECTICUT GENERAL ASSEMBLY

SENATE

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The Senate was called to order at 11:53 a.m.,  
Senator Williams of the 29th in the Chair.

THE CHAIR:.

The Chamber will please come to order. Will all  
member and guest rise and give your attention to Rabbi  
Lazowski.

DEPUTY CHAPLAIN RABBI PHILIP LAZOWSKI:

Thanks.

Our thought for today is from Psalm 55 Verse 1.  
Quote, give ear, O God, to my prayer and hide not  
thyself from my supplication, end of quote.

Let us pray.

Almighty God, guide the minds and hearts of these  
leaders of our state. May the decisions made here be  
acceptable in Your sight. Watch over them, the circle  
of people you have called to be Senators for the  
people of this state of Connecticut. Help them always  
to do what is right and what is proper.

Bless and preserve our state and nation and

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provide wisdom to our leaders. Defend our troops from harm and keep them safe from danger. Hear us as we pray and let us all say, amen.

SENATORS:

Amen.

THE CHAIR:

Senator Roraback, will you please come forward and lead us in the Pledge of Allegiance.

SENATOR RORABACK:

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 Chair will entertain points of personal privilege and I believe that Senator Debicella, you may have a point of personal privilege if I'm right about that.

SENATOR DEBICELLA:

I do indeed, Mr. President, thank you.

Mr. President, I'd like to draw the circle's attention to some excellent individuals, who are now coming into the circle. I think everyone knows the phenomenal work that the Boys & Girls Club of

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Connecticut do across the state. And with us today, I'm proud to introduce to you some of our leaders -- student leaders in the Boys & Girls Club. These are finalists from across the state to be our Youth of the Year candidates, chosen for their leadership, their club involvement and their academic achievements.

Now, they're going to be going through interviews this afternoon and the winner is going to go on to a regional competition but we can see that all of these young men and women are winners to have made this far. And I would just like introduce each of them and if you could just step forward when I say your name.

We have Camryn Ferrara from the Boys & Girls Club of Greenwich; Maggie Nesbitt from the Ridgefield Boys & Girls Club; James Cimina from the Wakeman Boys & Girls Club; Jade Anderson from the Boys & Girls Club of the Lower Naugatuck Valley; Kirsten Virgulto from the Ulbrich Boys & Girls Club; Charlie Ambler from the Jesse P. Sanford Boys & Girls Club of Redding; Charles Disby from the Boys & Girls Club of Greater Waterbury; Maryanne Rice from the Connecticut Navel Subase Youth Center; Pamela Griffin from the Boys & Girls Club of New Britain; and Immeley Royal from the Boys & Girls Club of Stamford.

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We also have with us today Carlos Velazquez from the Boys & Girls Club of Hartford; Haley Vincent from the Boys & Girls Club of New Haven; Casey Camire from the Boys & Girls Club of Meriden; and Ashley Santos of the Boys & Girls Club of Bristol.

So congratulations to all of you for making it this far, best of luck in the competition and interviews this afternoon. And if everyone in the circle could please join me in welcoming these fine men young and women to the capitol.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Debicella.

And congratulations to the young men and women and thank you for joining us here today.

Are there other announcements or points of personal privilege?

Seeing none, Mr. Majority Leader Senator Looney.

SENATOR LOONEY:

Thank you. Good morning, Mr. President.

THE CHAIR:

Good morning.

SENATOR LOONEY:

Mr. President, the Clerk is in possession of

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Senate Agenda Numbers 1 and 2 for today's session, I believe.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Mr. President, the Clerk is possession of Senate Agendas Numbered 1 and 2 dated Wednesday, April 14, 2010. Copies have been distributed.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I move all items on Senate Agendas Number 1 and 2 dated Wednesday, April 14, 2010 to be acted upon as indicated and that the agendas be Incorporated by reference into the Senate journal and the Senate transcript.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, if we might proceed now to a partial marking of the calendar. The first several pages of the calendar have Judicial and Executive and

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Legislative Nominations and I will mark those items at this time and then we will act on those items. And then later on, we will mark additional items for action.

THE CHAIR:

Please proceed, Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

On calendar page 1, under Judicial Nominations, the two items on calendar page 1, Calendar 304, Senate Joint Resolution Number 26 and Calendar 305, Senate Joint Resolution Number 27 both marked go. On calendar page 2, Mr. President, the -- all of the items on calendar page 2, Calendar 306, Senate Joint Resolution Number 28; Calendar 307, Senate Joint Resolution Number 29; Calendar 308, Senate Joint Resolution Number 30; Calendar 309, Senate Joint Resolution Number 31; and Calendar 310, Senate Joint Resolution Number 32. All those items are marked go.

Moving to calendar page 3, Mr. President, Calendar 311, Senate Joint Resolution Number 33 marked go and Calendar 312, Senate Joint Resolution Number 34, also, marked go. Then continuing on calendar page 3, Mr. President, under Executive and Legislative

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Nominations, Calendar 31, Senate Joint Resolution Number 15 should be marked passed, retaining its place on the calendar. Calendar 32, Senate Joint Resolution Number 16 is marked go.

And on calendar -- moving to calendar page 4, Mr. President, Calendar 33, Senate Joint Resolution Number 17 marked go. Calendar 34, Senate Joint Resolution Number 18 also go. And Calendar Number 40, Senate Joint Resolution Number 11, also, marked go, as well as Calendar Number 79, Senate Joint Resolution Number 19.

Moving to calendar page 5, continuing under Executive and Legislation Nominations, the first item on calendar page 5, Mr. President, Calendar Number 80, Senate Resolution Number 12 should marked PR and then Calendar 81, Senate Resolution Number 13 marked go. And the next two items also on calendar page 5, Calendar 82, Senate Joint Resolution Number 20 and Calendar 83, Senate Joint Resolution Number 21 both marked go.

Moving to calendar page 6, Mr. President, each of the items on calendar page 6 will be -- will be marked go. And Mr. President, that is Calendar Number -- Calendar 196, Senate Joint Resolution Number 22;

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Calendar 197, Senate Joint Resolution Number 23;  
Calendar 243, Senate Resolution Number 14; Calendar  
244, Senate Joint Resolution Number 24, all of those  
items are marked go.

Moving to calendar page 7, Mr. President, each of  
the items on calendar page 7, also be marked go. And  
that is Calendar 245, Senate Joint Resolution Number  
25; Calendar 279, House Joint Resolution Number 66;  
Calendar 280, House Joint Resolution Number 67; and  
Calendar 281, House Joint Resolution Number 68. All  
of those items on calendar page 7 marked go.

Moving to calendar page 8, Mr. President, the  
items on calendar page 8 will be marked go, that is  
Calendar 282, House Joint Resolution Number 69;  
Calendar 283, House Joint Resolution Number 70;  
Calendar 284, House Joint Resolution Number 71; and  
Calendar 285, House Joint Resolution Number 72. Each  
of those items is marked go.

Moving to calendar page 9, Mr. President, on  
calendar page 9, each of those items will be marked  
go. That is Calendar 286, House Joint Resolution  
Number 73; Calendar 287, House Joint Resolution Number  
74; Calendar 288, House Joint Resolution Number 75;  
Calendar 289, House Joint Resolution Number 76. Each



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of those items on calendar page 9 marked go.

Moving to calendar page 10, Mr. President, each of those items on calendar page 10 will be also be marked go. That is Calendar 290, House Joint Resolution Number 78; Calendar 291, House Joint Resolution Number 79; Calendar 292, House Joint Resolution Number 80; and Calendar 293, House Joint Resolution Number 81.

And that's -- we will mark additional items after moving through those marked at this time. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Looney.

Senator Looney, are we prepared to begin with the call of the calendar?

SENATOR LOONEY:

Yes, Mr. President.

If the Clerk might begin with the judicial nominations beginning on calendar page 1.

THE CHAIR:

Thank you, Senator Looney.

Mr. Clerk.

THE CLERK:

Calling from the Senate Calendar for Wednesday,

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April 14, 2010, calendar page 1, Judicial Nominations,  
Calendar Number 304, Senate Joint Resolution Number  
26, RESOLUTION CONFIRMING THE NOMINATION OF THE  
HONORABLE THOMAS G. WEST OF DANBURY TO BE A STATE  
REFEREE, favorable report 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:

You may proceed.

SENATOR McDONALD:

Thank you, Mr. President.

Mr. President, Judge West hails from the city of  
Danbury. He currently serves as judge trial referee  
in Danbury and, as was pointed out, he is a proud son  
of the city of Danbury. Mr. President, we should all  
be proud of Judge West. He has had a remarkable  
judicial career and it was real American success story  
and continues to be one.

Mr. President, Judge West is a graduate of UConn

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Law School. He served on the superior court for many years before being elevated to the appellate court. He has served with distinction and he remains as sharp and as vibrant as he always has been and I certainly look forward to him continuing to serve as a state referee.

THE CHAIR:

Thank you, Senator McDonald.

Is there further comment?

Senator McDonald, I understand we need to vote on this expeditiously and send this down to the House.

Is that correct?

SENATOR McDONALD:

That's my understanding, as well, Mr. President.

THE CHAIR:

Thank you, Senator.

So you would request a roll call at this time?

SENATOR McDONALD:

I would, Mr. President.

THE CHAIR:

Thank you, Senator McDonald.

If there's no further comment, Mr. Clerk, would you please announce the pendency of a roll call vote.

THE CLERK:

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The Senate is now voting by roll call. Will all Senators please return to the chamber. Immediate roll call has been ordered in the Senate. Will all Senators please return to the chamber.

THE CHAIR:

The machine will be open.

If all Senators have voted, the machine will be locked. Will the Clerk please announce the tally.

THE CLERK:

Motion is on adoption of Senate Joint Resolution Number 26.

Total Number Voting	33
Necessary for Adoption	17
Those voting Yea	33
Those voting Nay	0
Those absent and not voting	3

THE CHAIR:

Thank you.

Mr. Clerk, you may proceed.

Mr. Clerk, the resolution is adopted and we can proceed.

SENATOR LOONEY:

Mr. President.

THE CHAIR:

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Oh, that's right.

Senator Looney, I understand this needs to get to  
the House --

SENATOR LOONEY: .

Yes.

THE CHAIR:

-- quickly.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, because this is a time sensitive  
issue and Judge West has had such a distinguished  
career that we want to see continue, would -- would  
move for immediate -- for suspension for immediate  
transmittal of Calendar 304, Senate Joint Resolution  
Number 26 to the House of Representatives.

THE CHAIR:

Without objection, so ordered.

Mr. Clerk.

THE CLERK:

Calendar Number 305, Senate Joint Resolution  
Number 27, RESOLUTION CONFIRMING THE NOMINATION OF THE  
HONORABLE DAVID R. TOBIN OF OLD GREENWICH TO BE A  
JUDGE OF THE SUPERIOR COURT, favorable reported the  
Committee on Judiciary.

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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:

It's so moved. You may proceed.

SENATOR McDONALD:

Thank you, Mr. President.

Mr. President, Judge Tobin is a resident of Old Greenwich, Connecticut. He currently presides in the Bridgeport Superior Court. He's a graduate of the University of Notre Dame and NYU's law school. Prior to ascending to the bench, he had a productive and compelling career as a probate judge in the state of Connecticut. He's also a -- a veteran of the naval service in the service of the country. He has done a tremendous amount of work as a superior court judge. He has received accolades far and wide from those who have been before him and I commend to the circle.

(Senator Coleman of the 2nd in the Chair.)

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THE CHAIR:

Thank you, Senator.

Will you remark further on the resolution?

Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President.

And I would like to thank my esteemed colleague for that wonderful introduction of Judge David Tobin and -- more of the factual end of it. What I'd like to do is speak for just a minute or so about what a terrific person Judge Tobin is and has been in the community of Greenwich, Connecticut, as well as in his service to many people throughout the state of Connecticut particularly in southwestern Connecticut.

He was the town moderator for 21 years in the town of Greenwich and I have to tell you he did a superb job. It's a very, very big set of shoes that he left to fill. He served the people of our town extraordinarily well. He donates a lot of his time to people in need. He's also -- always there when there is a need for a moderator outside of the courtroom. His natural instincts are to come and try to solve problems before trying to get into the court system,

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which is something that has -- has benefited so many different people.

He's a very, very civic minded person. He's always donating his time and an extraordinary person of very, very high character. And not only that, a wonderful, wonderful human being with a terrific sense of humor.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Are there further remarks on the resolution? Are there further remarks?

If not, Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President.

If there's no objection, might this item be placed on the consent calendar.

THE CHAIR:

Without objection, this might be placed on the consent calendar.

Are there any announcements or points of personal privilege?

Senator Doyle.

SENATOR DOYLE:



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Thank you, Mr. President.

Good afternoon to you.

THE CHAIR:

Good afternoon, Senator.

SENATOR DOYLE:

Thank you.

It's my pleasure to introduce to the chamber a constituent of mine that really has served her country and the world recently. I'd like to introduce the chamber to Dr. Allison Greenstein. If she could please come forward. Dr. Greenstein is a resident of Newington in the 9th District and is a doctor of osteopathic medicine. She recently completed a degree at Virginia College of Osteopathic Medicine in 2008. In 2009, she completed an internship at the University of Connecticut and she is currently a postdoctorate fellow at Yale University in New Haven. And Senator Looney will take note of that in his fine city of New Haven.

And, as we all know, in January of 2010, a 7.0 earthquake struck the island of Haiti leaving more than 3 million people in need of emergency aid. Almost immediately, Allison made a decision to put herself in harms way and travel to Haiti to provide

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medical care. Using the power of internet and her friends, she was able to raise money to fly herself down there along with more than 70 pounds of medical supplies into the Dominican Republic and then on to Haiti.

Allison and a mission group of other doctors, nurses and civilian volunteers from International Christian Resources, spent ten days in Port-au-Prince, in the neighboring city of Leogane and Les Cayes visiting tent cities and orphanages providing everything from major wound care to life-saving antibiotics and fluids to shoes and bottled water.

All together, Allison and her group treated over 1600 patients in Haiti and experienced several additional earthquakes or aftershocks. She told me -- she recently told me there were five aftershocks in her short 10 day stay.

Allison is no stranger to mission work. Long before this Haiti trip, she spent time delivering babies in Honduras and treating patients in Kenya. She also provided care to some of our less fortunate American citizens home in the United States, which I always personally think about. America is great to world but I also like to remind all us that we do have

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some less fortunate people in America and I'm glad to hear that Allison has helped some of our less fortunate individuals..

She, also, hopes someday to get involved with Doctors Without Borders. Clearly, her commitment through her humanitarian efforts really is tribute to her degree and Hippocratic oath and I personally appreciate her services to her community. And I will present her with a citation from the General Assembly introduced by myself, Representative Guerrero, Representative Tim O'Brien and Representative Sandy Nafis.

Again, I just want to thank Doctor Allison Greenstein for her personal dedication and commitment to go down to Haiti and see firsthand how difficult the earthquake was and help some of the less fortunate people in Haiti. Again, I thank the Chamber for listening to me and I'd ask the chamber to please rise and give Dr. Greenstein a hand of support for her help in Haiti.

THE CHAIR:

Would the Clerk please return to the call of the calendar.

THE CLERK:

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Calendar page 2, Calendar Number 306, Senate  
Joint Resolution Number 28, RESOLUTION CONFIRMING THE  
NOMINATION OF THE HONORABLE STANLEY NOVACK OF STAMFORD  
TO BE A STATE REFEREE, favorable reported 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:

Question is adoption of the resolution.

Will you remark further?

SENATOR McDONALD:

Yes, Mr. President.

Mr. President, Judge Novack, as was noted, is a  
resident of the City of Stamford. He has presided in  
the Stamford Courthouse for many years and has really  
become one of the experts on the family law in the  
state of Connecticut. He was first appointed to the  
bench in 1975. He is a graduate of the University of  
Connecticut, as well as its law school. He may be a  
state referee and a judge trial referee, but he is

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almost always at the courthouse moving business and doing a tremendous job. And I commend him to the circle.

THE CHAIR:

Thank you, Senator.

Are there further remarks on the resolution? Are there further remarks?

If not, Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might this item be placed on the consent calendar.

THE CHAIR:

Without objection, this item will be placed on the consent calendar.

Are there further points of personal privilege or announcements?

Senator DeFronzo.

SENATOR DeFRONZO:

(Inaudible.)

THE CHAIR:

Please proceed, sir.

SENATOR DeFRONZO:

Thank you, Mr. President.

I want to take just a moment to memorialize the

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events of the past weekend. When -- in Russia, the president of Poland and his executive party died in a plane crash there. In Connecticut, there are 300,000 polish immigrants. Many members of their family, offspring live in our cities and towns. And many suffered the impact of this tragedy over the weekend.

I know our churches, the polish churches in my city of New Britain were filled with well-wishers and mourners. The president of the Polish Country, Lech Kaczynski was killed, his wife, the chief of staff of the Polish Army, senior ministers, foreign ministers and many high ranking officials of the polish government all died in one brief moment.

They were all, by the way, en route to celebrate the anniversary of the Katyn Massacre, where 22,000 polish nationals were killed in 1940 by the Soviet Army. And what had made this sort of a special occasion was that for the first time the Polish government -- the Soviet government had acknowledged its role in that massacre and so this is going to be a truly historic event.

So for a number of reasons this tragedy has greater meaning than it might otherwise have had but certainly for the people of Connecticut of polish

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ancestry, this is a very severe and deeply felt tragedy.

And so today, Mr. President, I would ask the members of the Senate to join in a moment of silence to commemorate the life and achievements of the Polish President Lech Kaczynski and his senior staff.

Thank you, Mr. President.

THE CHAIR:

Members please rise.

Thank you, Senator DeFronzo.

Mr. Clerk.

THE CLERK:

Turning to calendar page 2, Calendar Number 307,  
Senate Joint Resolution Number 29, RESOLUTION  
CONFIRMING THE NOMINATION OF THE HONORABLE HOWARD J.  
MORAGHAN OF NEW MILFORD TO BE A STATE REFEREE,  
favorable reported 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:

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Question before the Chamber is adoption of the resolution will you proceed.

SENATOR McDONALD:

Yes, Mr. President.

Mr. President, Judge Moraghan has been a judge in the state of Connecticut since 1969. He is a resident of New Milford and currently presides in Danbury Superior Court. Anybody in the greater Danbury area, who has practiced law, most undoubtedly has -- most assuredly has practiced before Judge Moraghan. He is a graduate of Holy Cross College and Boston College Law School. He was in the military early on in his life and has done a tremendous amount of writing and speaking on matters of judicial importance. I commend him to the circle.

THE CHAIR:

Thank you, Senator.

Are there further remarks on this resolution?

Are there further remarks?

If not, 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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Without objection, this item is placed on the  
consent calendar.

Mr. Clerk.

THE CLERK:

Calendar Number 308, Senate Joint Resolution  
Number 30, RESOLUTION CONFIRMING THE NOMINATION OF THE  
HONORABLE L. SCOTT MELVILLE OF BRIDGEPORT TO BE A  
STATE REFEREE, favorable reported 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:

Question is adoption. Will you remark further?

SENATOR McDONALD:

I would like to, Mr. President.

Mr. President, Judge Melville has also been in  
the service of the state of Connecticut for many, many  
years and he currently is a resident of the city of  
Bridgeport, where he presides on the -- in the

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Bridgeport Superior Court. He graduated from NYU Law School and Howard University School of Law. He had a distinguished career in private practice with some other legal luminaries, who still sit on the bench as well and some, who have passed away, but served as judges in Connecticut.

Judge Melville, in truth, was one of the first judges I ever saw as a young lawyer. I was impressed by him then and I still am impressed by him now. And I commend him to the circle.

THE CHAIR:

Thank you, Senator.

Are there further remarks to be made on this resolution? 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:

Without objection, this item is placed on the consent calendar.

Mr. Clerk.

THE CLERK:

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Calendar Number 309, Senate Joint Resolution  
Number 31, RESOLUTION CONFIRMING THE NOMINATION OF THE  
HONORABLE ROBERT J. HALE OF GLASTONBURY TO BE A STATE  
REFEREE, favorable reported 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:

Question is adoption.

Will you remark further?

SENATOR McDONALD:

Yes, Mr. President.

Mr. President, Judge Hale is a resident of  
Glastonbury. He currently presides in the Hartford  
Superior Court. He is a graduate of Trinity College  
and Yale Law School. And I have to say that the  
members of the committee were very favorably impressed  
with his service. First, as a sergeant in the U.S.  
Army during World War II but certainly as a judge, as  
lawyer and as a student of the law. He has much to

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commend him to this circle, as do I.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will members remark further on this resolution?

If not, Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might this item be placed on the consent calendar.

THE CHAIR:

Without objection, this item is placed on our consent calendar.

Mr. Clerk.

THE CLERK:

Calendar Number 310, Senate Joint Resolution Number 32, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE ARTHUR C. HADDEN OF BRANFORD TO BE A JUDGE OF THE SUPERIOR COURT, favorable reported the Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President.

Mr. President, I move acceptance of the Joint

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Committee's favorable report and adoption of the resolution.

THE CHAIR:

Question before the Chamber is consideration of adoption of the resolution.

Will you remark further?

SENATOR McDONALD:

Yes, Mr. President.

Mr. President, Judge Hadden is a resident of the town of Branford. He currently presides in New Haven Superior Court. He is a graduate of Boston College and Boston College School of Law. I believe that's -- referred to as a double Eagle. And Mr. President, I believe he has distinguished himself in many ways that certainly commend him to the -- to be a judge of the superior court and I look forward to him serving in the service of the state for another eight years.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, speaking in support of the

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resolution. Judge Arthur Hadden has been an outstanding judge of the superior court during his first eight year tenure. He had the benefit of a diverse and varied practice as an attorney. He was outstandingly well-prepared to become a judge and that has reflected in his service on the superior court. He is one of those people who waited on the -- on the approved list, having been approved by the Judicial Selection Committee for a long time until he was finally approved to become a judge of the superior court.

But it has certainly -- his nomination has certainly borne fruit during his tenure and I look forward to additional distinguished service from Judge Hadden in the years to come.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further? 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.

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THE CHAIR:

Is there objection?

Seeing none, this item may be placed on our  
consent calendar.

Mr. Clerk.

THE CLERK:

Calendar page 3, Calendar Number 311, Senate  
Joint Resolution Number 33, RESOLUTION CONFIRMING THE  
NOMINATION OF THE HONORABLE FREDERICA S. BRENNEMAN OF  
WESTPORT TO BE A STATE REFEREE, favorable reported 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:

Senate will consider adoption of this resolution.

Will you remark further?

SENATOR McDONALD:

Yes, Mr. President.

Mr. President, Judge Brenneman has had a truly

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astonishing career as -- first as a lawyer and then as a judge of the superior court and now in her capacity as a judge trial referee. She started out as an attorney in the appellate division of the anti-trust unit at the U.S. Department of Justice and has, since becoming a judge, really blazed some important trails in juvenile justice, in particular.

She is a graduate of Radcliffe College and Harvard Law School. She has inspired generations of lawyers to take up the cause of juvenile justice. She even inspired her daughter to do a whole television show about being a judge, Judging Amy. Your Honor -- Mr. President, I should I say -- Judge Brenneman is -- has really done things in the city of Stamford, as a juvenile judge, that has changed the lives of children for the better. And she has done that wherever she has sat as a judge and I am just truly honored to commend her to the circle for another term as a state referee.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark further regarding this resolution?

If not, Senator McDonald.



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SENATOR McDONALD:

Thank you, Mr. President.

If there's no objection, might this item be  
placed on the consent calendar.

THE CHAIR:

Without objection, this item is placed on the  
consent calendar.

Mr. Clerk.

THE CLERK:

Calendar Number 312, Senate Joint Resolution  
Number 34, RESOLUTION CONFIRMING THE NOMINATION OF THE  
HONORABLE JAMES M. BENTIVEGNA OF AVON TO BE A JUDGE OF  
THE SUPERIOR COURT, favorable reported 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:

Question before the Chamber is adoption of the  
resolution.

Will you remark further?

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SENATOR McDONALD:

Yes, Mr. President.

Mr. President, Judge Bentivegna is finishing up his first term as a judge of the superior court. He currently presides in Middletown and is a graduate of Fairfield University, as well as the University Wisconsin School of Law. Prior to ascending to the bench, Mr. President, he served the state of the Connecticut in multiple different capacities including as counsel to the governor and also counsel to the State Senate Republican office here in the General Assembly.

Mr. President, Judge Bentivegna has -- has done a great deal in his life both as a lawyer and now as a judge and I certainly commend him to the circle and look forward to his continued service.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. Speaker.

I would also like to stand in support of Judge Bentivegna. He's done a superlative job in his first term, as a judge of the superior court, and also -- my recollection is that he did a fantastic job when he

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worked as a staff attorney for the Senate Republican Caucus over a decade ago. And it's my understanding that he also served previous administrations as legal counsel there as well. And I think the people of Connecticut would extraordinarily well-served by the continuing public service of Judge Bentivegna.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

My apologies, Senator Looney, I wasn't certain that you seeking the floor.

The floor is yours, sir.

SENATOR LOONEY:

Yes, thank you, Mr. President.

I just wanted to join Senator McDonald and Senator Kissel in supporting the renomination of Judge Bentivegna. We all knew him when he was here at the capitol, both when he was a counsel for the governor and later when he was a counsel to then -- then Senator and chair of the Judiciary Committee, Senator Tim Upson, now also a fellow superior court judge of Judge Bentivegna's (inaudible.)

But Judge Bentivegna has done very well in his first eight year term on the superior court, as

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someone who understands government very well having --  
having an adviser to both the executive and  
legislative branches during his tenure here and I look  
forward to many more years of distinguished service  
from him.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further regarding this  
resolution? Will you remark further on the  
resolution?

Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might  
this item be placed on the consent calendar.

THE CHAIR:

Without objection, this item may be placed on the  
consent calendar.

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, if we might call now for a vote on  
the first consent calendar -- on the consent calendar  
of the judicial nominations that we have acted upon

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since the first vote.

THE CHAIR:

Thank you, sir.

Would the Clerk please make the appropriate announcement.

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.

Mr. President, those items that have been placed on the first consent calendar begin on calendar page 1, Calendar Number 35, Senate Joint Resolution Number 27; calendar page 2, Calendar Number 306, Senate Joint Resolution Number 28; Calendar Number 307, Senate Joint Resolution Number 29; Calendar Number 309, Senate Joint Resolution Number -- correction -- Calendar 308, Senate Joint Resolution Number 30; Calendar Number 309, Senate Joint Resolution Number 31; Calendar Number 310, Senate Joint Resolution Number 32; calendar page 3, Calendar 311, Senate Joint Resolution Number 33; Calendar Number 312, Senate Joint Resolution Number 34. Mr. President, that

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completes the items placed on the first consent calendar.

THE CHAIR:

Thank you, Mr. Clerk.

The machine is open.

THE CLERK:

The Senate is now voting by roll call on the consent calendar. Will all Senators please return to the chamber. The Senate is now voting by roll call on the consent calendar. Will all Senators please return to the chamber.

THE CHAIR:

If all Senators have voted, the machine will be locked. Will the Clerk make take a tally.

THE CLERK:

Motion is on adoption of Consent Calendar Number 1.

Total Number Voting	34
Necessary for Adoption	18
Those voting Yea	34
Those voting Nay	0
Those absent and not voting	2

THE CHAIR:

Consent Calendar is adopted.

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Senator Looney.

SENATOR LOONEY:

Yes, thank you -- thank you, Mr. President.

Mr. President, I would move for suspension for  
immediate transmittal to the House of Representatives  
of all items adopted on Consent Calendar Number 1  
requiring additional action in the House of  
Representatives.

THE CHAIR:

Question then is suspension for immediate  
transmittal.

Is there objection? Is there objection?

Seeing none, so ordered.

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

If the Clerk would return to the calendar  
beginning on calendar page 3 with Executive and  
Legislative Nominations.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calendar page 3, Executive and Legislative  
Nominations, Calendar Number 32, Senate Joint

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Resolution Number 16, RESOLUTION CONFIRMING THE  
NOMINATION OF THE HONORABLE JOHN E. COLELLA OF  
CHESHIRE TO BE A MEMBER OF THE JUDICIAL REVIEW  
COUNCIL, AS AN ALTERNATE FAMILY SUPPORT MAGISTRATE,  
favorable reported the Committee on Executive and  
Legislative Nominations.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, Mr. President. Mr. President, thank you  
very much.

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

THE CHAIR:

Senate will consider adoption of the resolution.

Will you remark further?

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, Attorney Colella is a family  
support magistrate. He is a resident of Cheshire.  
Holds his bachelor's degree from the University of  
Connecticut. His law degree from the Western New  
England College School of Law. Has been nominated to



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serve as an alternate family support magistrate member of the Judicial Review Council. Someone with significant experience in the practice of law prior to his appointment as a magistrate. And I would urge adoption of the resolution.

THE CHAIR:

Thank you, Senator.

Are there further remarks on the resolution? Are there further remarks on this resolution?

If not, Senator Looney.

SENATOR LOONEY:

Mr. President, if there's no objection, I would move to place this item on the consent calendar.

THE CHAIR:

Without objection, this item is placed on the consent calendar.

Mr. Clerk.

THE CLERK:

Calendar page 4, Calendar Number 33, Senate Joint Resolution Number 17, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE DAVID A. DEE OF AVON TO BE A MEMBER OF THE JUDICIAL REVIEW COUNCIL, AS AN ALTERNATE FAMILY SUPPORT MAGISTRATE, favorable reported the Committee on Executive and Legislative

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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:

The question is adoption.

Will you remark further?

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, Family Support Magistrate Dee has been nominated to serve as an alternate family support magistrate member of the Judicial Review Council. He holds a bachelor's degree from the University of Connecticut, a law degree from the Quinnipiac University School of Law. He also had a significant career as a legal practitioner prior to his appointment as a -- as a magistrate and would urge approval of his nomination to be an alternate member of the Judicial Review Council.

THE CHAIR:

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Thank you, Senator.

Are there further remarks on this resolution?

Will you remark further?

If not, Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, if there's no objection, I would  
move to place this item on the consent calendar.

THE CHAIR:

Without objection, this item is placed on the  
consent calendar.

Mr. Clerk.

THE CLERK:

Calendar Number 34, Senate Joint Resolution  
Number 18, RESOLUTION CONFIRMING THE NOMINATION OF THE  
HONORABLE PAUL MATASAVAGE OF OAKVILLE TO BE A MEMBER  
OF THE JUDICIAL REVIEW COUNCIL, AS AN ALTERNATE  
SUPERIOR COURT JUDGE, favorable reported 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

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Committee's favorable report and adoption of the resolution.

THE CHAIR:

Question is adoption.

Will you remark further?

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, Judge Matasavage has an associate's degree from Greenfield Community. His bachelor's degree from the College of Holy Cross and his law degree from Suffolk University School of Law. Presently, he is a superior court judge and was formerly a family support magistrate, as well as being a practitioner of law, an assistant municipal corporation counsel and has been nominated to serve as a -- as an alternate member as a superior court judge on the Judicial Review Council. His sound judgment and experience will contribute to that very important board and I urge approval of his nomination.

THE CHAIR:

Thank you, Senator.

Will you remark further on the resolution? Will you remark further?

If not, Senator Looney.

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SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, I would move to place this item on  
the consent calendar.

THE CHAIR:

Without objection, so ordered.

Mr. Clerk.

THE CLERK:

Calendar Number 40, Senate Resolution Number 11,  
RESOLUTION CONFIRMING THE NOMINATION OF PATRICIA A.  
REHMER OF WEST HARTFORD TO BE COMMISSIONER OF MENTAL  
HEALTH AND ADDICTION SERVICES, favorable reported the  
Senate Committee on Executive and Legislative  
Nominations.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

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

THE CHAIR:

Question is adoption.

Will you remark further?

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SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, Patricia Rehmer has been nominated by the Governor to be the commissioner of the Department of Mental Health and Addiction Services. She holds a bachelor's degree from Skidmore College, a master's of science and nursing from St. Joseph College. Has been serving as deputy commissioner of the Department of Mental Health and Addiction services prior to her nomination to become commissioner.

She was also former director of behavioral health care operations for DMHAS and former chief executive officer of the Capital Region Mental Health Center and a former director of clinical services at the Hartford Hospital Institute for the Living and also had been a service director there, as well, and a program director for the Adult Day Treatment Center prior that, and a nursing instructor and staff nurse earlier in her career.

She is someone significant clinical experience and I would urge approval of her nomination to become commissioner.

THE CHAIR:

Thank you, Senator.

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Any further remarks on this resolution? Are there further remarks?

If not, Senator Looney.

SENATOR LOONEY:

Yes, Mr. President, if there's no objection, I would move to place this item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

Mr. Clerk.

THE CLERK:

Calendar Number 79, Senate Joint Resolution Number 19, RESOLUTION CONFIRMING THE NOMINATION OF JAMES-CAMERON OF DARIEN TO BE A MEMBER OF THE METRO NORTH NEW HAVEN RAIL COMMUTER COUNCIL, favorable reported 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:

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Question before the Chamber is adoption of the resolution.

Will you remark further?

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, Mr. James Cameron has been renominated or has been nominated to be a member of the Metro North New Haven Rail Commuter Council. He is a resident of Darien. Holds a bachelor's degree from Lehigh University. He's someone with a significant experience in the field of communications. Presently works as president and CEO of Cameron Communications, Inc. Is someone who is a -- a very strong rail transportation advocate and would urge approval of his nomination to serve on the Metro North New Haven Rail Commuter Council.

THE CHAIR:

Thank you, Senator.

Are there further remarks on this resolution?

Will you remark further?

If not, Senator Looney.

SENATOR LOONEY:

Mr. President, if there's no objection, I would move to place this item on the consent calendar.



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THE CHAIR:

Without objection, so ordered.

Are there any announcements or points of personal privilege?

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

I rise for a point of personal privilege.

THE CHAIR:

Please proceed, sir.

SENATOR FASANO:

Thank you, Mr. President.

If I could ask the Sheehan basketball team to come on in to this area. Through that gate there. Joe, come on around.

Mr. President, I think you will enjoy this particular announcement seeing that Sheehan High School took on -- ranked number 8 took on number 3 --

THE CHAIR:

I'm not so sure, Senator.

SENATOR FASANO:

Yes, I'm not sure -- Bloomfield, by the way, ladies and gentleman, the Senator represents the town of Bloomfield. So you're lucky to have him up here as

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president. You can gloat a little.

Mr. President, Sheehan High School is ranked number 3 -- or number 8. They beat Bloomfield, number 3. The Bloomfield remarked they've never been down 15 nothing in their -- in their career and they were -- Bloomfield was shocked over the way that this team came out and played ball. They did a great, great job. I'd like to introduce the superintendent of the school, Salvatore Menzo. I'd also like to introduce the athletic director VJ Sarullo; the principal, Rosemary Dart -- Duthie -- sorry -- Duthie; Joe Gaetano, who is one of the coaches -- the coach; Jon Janeway, another coach. And Chris Daily.

They are the Class M Champions. It is the first time that they -- Sheehan High School has become the Class M Champions and I'd like the Senate circle to join me in congratulating them on a terrific season.

Mr. President, I'm sure you have some comments for this team, as well.

THE CHAIR:

As a matter of fact, I do, Senator Fasano.

All joking aside, I think the Bloomfield High School varsity -- boys varsity basketball team is a very talented team and I admire and respect them

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greatly. So I've got to admire and respect any team who has beaten them and that's Sheehan High School. So I want to congratulate you gentlemen and lady and I'm sure you will wear the title of champion extremely well.

Congratulations and best wishes to you.

Thank you, Senator Fasano.

And now, perhaps, they can stop the replay of that game on the sports network.

Mr. Clerk.

THE CLERK:

Returning to the call of the calendar, calendar page 5, Calendar Number 81, Senate Resolution Number 13, RESOLUTION CONFIRMING THE NOMINATION OF NORMA E.

RIESS OF REDDING TO BE A MEMBER OF THE FREEDOM OF INFORMATION COMMISSION, favorable reported 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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THE CHAIR:

Question is adoption of the resolution.

Will you remark further?

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, Mrs. Norma Riess has been nominated to serve as a member of the Freedom of Information Commission. It is a reappointment. She holds a bachelor's degree from Adelphi University. She's presently serving as a member of the -- of the commission. She is someone with a significant amount of community experience as a volunteer for various church and community activities and would urge her confirmation to continue her service as a member of the Freedom of Information Commission.

THE CHAIR:

Thank you, Senator.

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

I rise to just say a few nice words about this wonderful individual, who is so highly regarded in our community. She is really perfectly suited for this important position, very important position. Her

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magnanimous attitude, tremendous tolerance for all and person -- a go-to person in the community, who is so highly regarded. The state is well-served to have her on this committee. Thank you very much.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark further regarding the resolution?

If not, Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, if there's no objection, I would move to place this on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered.

Mr. Clerk.

THE CLERK:

Calendar Number 82, Senate Joint Resolution Number 20, RESOLUTION CONFIRMING THE NOMINATION OF JOHN T. HARTWELL OF WESTPORT TO BE A MEMBER OF THE METRO NORTH NEW HAVEN RAIL COMMUTER COUNCIL, favorable reported the Committee on Executive and Legislative Nominations.

THE CHAIR:

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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:

Question is adoption of the resolution.

Will you remark further?

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, Mr. Hartwell has been nominated to serve as a member of the Metro North New Haven Rail Commuter Council. He is a graduate of Earlham College. Has a master's degree in public and private management at the Yale School of Management. He is a director Hartwell Associates and a former senior consultant in a number of field for MainSpring, Inc. and Dove Consulting and was a vice president of Chase Manhattan Bank.

Someone with a strong interest in -- in economic developments and the -- and transportation and believe that that will do an outstanding job as a member of the Metro North New Haven Rail Commuter Council. I

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would urge approval of his nomination.

THE CHAIR:

Thank you, Senator.

Are there further remarks? Any further remarks?

If not, Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, if there is no objection, I would also note that this is a nomination from our President Pro Tem, Senator Williams and would move that this item be placed on the consent calendar.

-- THE CHAIR:

Without objection, this item may be placed on the consent calendar.

Mr. Clerk.

THE CLERK:

Calendar number 83, Senate Joint Resolution Number 21, RESOLUTION CONFIRMING THE NOMINATION OF ROBERT A. DELLAPINA OF HUNTINGTON TO BE A MEMBER OF THE STATE -- CONNECTICUT STATE BOARD OF LABOR RELATIONS, favorable reported the Committee on Executive and Legislative Nominations.

THE CHAIR:

Senator Looney.

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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:

Question is adoption of the resolution.

Will you remark further?

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, Mr. Dellapina has been nominated by the Governor to be a member of the Connecticut State Board of Labor Relations. He holds a bachelor's degree from Pace University and a master's in business administration from the University of New Haven. He is retired from the position of vice president of human resources at Hubbell Wiring Systems in Milford. Was a former corporate director of labor relations as Hubbell Incorporated in Orange and was a manager of industrial relations at Hubbell Lighting Division in Virginia.

He is someone who has been a seminar leader on issues related to labor relations. He's very experienced in that field and I would urge approval of



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his nomination to serve on the Connecticut State Board  
of Labor Relations.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark  
further?

If not, Senator Looney.

SENATOR LOONEY:

Mr. President, thank you, if there's no  
objection, I would move to place this item on the  
consent calendar.

THE CHAIR:

Without objection, so ordered.

Mr. Clerk.

THE CLERK:

Calendar page 6, Calendar Number 196, Senate  
Joint Resolution Number 22, RESOLUTION CONFIRMING THE  
NOMINATION OF TERRI A. CRONIN OF NORWALK TO BE A  
MEMBER OF THE METRO NORTH NEW HAVEN RAIL COMMUTER  
COUNCIL, favorable report of the Committee on  
Executive and Legislative Nominations.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

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Yes, thank you, Mr. President.

Mr. President, our President Pro Tem, Senator Williams has nominated Terri Cronin of Norwalk to be member of the Metro North New Haven Rail Commuter Council. Ms. Cronin has a bachelor's degree from the College of Design, Architecture and Art. She's presently a creative service and brand management consultant at Booz & Company in New York City.

Has been an active commuter into New York City during her career as an account executive director in the field of graphic arts and is certainly a very enthusiastic and -- and motivated to make a significant contribution to the good work of the Metro North New Haven Rail Commuter Council and would urge adoption of the resolution.

THE CHAIR:

Question is adoption of the resolution.

Will you remark further? Will you remark further?

If not, Senator Looney.

SENATOR LOONEY:

Mr. President, if there's no objection, I would move to place this item on the consent calendar.

THE CHAIR:

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Is there objection?

Seeing none, so ordered.

Mr. Clerk.

THE CLERK:

Calendar Number 197, Senate Joint Resolution  
Number 23, RESOLUTION CONFIRMING THE NOMINATION OF  
JEFFREY STEELE OF FAIRFIELD TO BE A MEMBER OF THE  
METRO NORTH NEW HAVEN RAIL COMMUTER COUNCIL, favorable  
reported 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:

Senate will consider adoption of the resolution.

You may remark further.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, Mr. Jeffrey Steele has been  
nominated by Senator McKinney to serve on the Metro

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North New Haven Rail Commuter Council. Mr. Steele has a bachelor's degree from Lafayette College, a master's from John Hopkin's University. He is currently director of business development at PIRA Energy Group in New York City, former international trade specialist for International Trade Administration with the U.S. Department of Commerce in Washington and an associate of the Council of Competitiveness in Washington D.C.

And has significant and diverse experience both in business and in commuting by rail and I would urge adoption of the resolution and approval of the nomination.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark further on the resolution?

If not, Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, if there's not objection, I would move to place this item on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered.

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Mr. Clerk.

THE CLERK:

Calendar Number 243, Senate Resolution Number 14,  
RESOLUTION CONFIRMING THE NOMINATION OF CLOTILDE  
DUDLEY SMITH OF WOODBRIDGE TO BE A MEMBER OF THE  
CONNECTICUT MEDICAL EXAMINING BOARD, favorable  
reported the Senate Committee on Executive and  
Legislative Nominations.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

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

THE CHAIR:

Question is adoption.

Will you remark further?

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, Ms. Clotilde Dudley Smith has been  
nominated by the Governor to serve as a member of the  
Connecticut Medical Examining Board as a public  
member. She has a bachelor of science dental hygiene

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from the University of Bridgeport, master's in public administration, health care administration from the University of New Haven, a doctorate in educational management from the University of Bridgeport.

Currently, an assistant professor of health care administration for Charter Oak Community College and assistant professor public administration/health care administration at the University of New Haven.

She is -- also has served as secretary and member of the Woodbridge Board of Education and I would urge approval of her nomination to serve as a member of the Connecticut Medical Examining Board.

THE CHAIR:

Thank you, sir.

Are there further remarks? Will you remark further?

If not, Senator Looney.

SENATOR LOONEY:

Mr. President, if there's no objection, I would move to place this item on the consent calendar.

THE CHAIR:

Without objection, this item may be placed on our consent calendar.

Mr. Clerk.

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THE CLERK:

Calendar Number 244, Senate Joint Resolution  
Number 24, RESOLUTION CONFIRMING THE NOMINATION OF  
STEPHEN J. EDWARDS OF EASTON TO BE AN AD HOC MEMBER OF  
THE BOARD OF DIRECTORS OF THE CONNECTICUT RESOURCES  
RECOVERY AUTHORITY, favorable reported the Committee  
on Executive and Legislative Nominations.

THE CHAIR:

Mr. Majority Leader.

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:

Question is adoption.

Will you remark further?

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, Stephen Edwards has been nominated  
by the Governor to be an ad hoc member of the board of  
directors of the Connecticut Resources Recovery  
Authority representing the Bridgeport project. He has  
a bachelor's of science degree from Bethany College, a

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master's in environmental engineering and aquatic chemistry from the University of Connecticut, and additional graduate studies in environmental technology -- taxonomy, rather, from New York City.

He currently works as the director of public works for the town of Westport and formerly was a project manager and environmental engineer for Lawler, Mutusky & Skelly Engineers and has been a research assistant for the Institute of Water Research for the University of Connecticut. He began his career as a biology and general science teacher at the Woodbridge Senior High School, where he also coached football and track.

And is someone who is experienced in the field and I urge his -- approval of his appointment as a member of the CRRA Board of Directors.

THE CHAIR:

Are there further comments regarding this resolution? Further comments?

SENATOR LOONEY:

Yes, Mr. President --

THE CHAIR:

Senator Looney.

SENATOR RORABACK:



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-- if we may have a roll call on this nomination.

THE CHAIR:

Thank you, sir.

Are there further comments?

If not, a roll call has been requested on this particular resolution.

Mr. Clerk, please make an announcement that a roll call is in process in the Senate.

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:

The machine will be open.

Have all members voted? Please check the board  
to make sure your vote is properly recorded.

If all members have voted and all votes are  
properly recorded, the machine will be locked. And  
the Clerk make take a tally.

THE CLERK:

Motion is on adoption of Senate Joint Resolution  
Number 24.

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Total Number Voting	31
Necessary for Adoption	16
Those voting Yea	31
Those voting Nay	0
Those absent and not voting	5

THE CHAIR:

Resolution is adopted.

The Chair will note and the journal should be reflect that Senator Gaffey and Senator McDonald have recused themselves from this previous vote under Rule 15.

Mr. Clerk.

THE CLERK:

Returning to the calendar, calendar page 7,  
Calendar Number 245, Senate Joint Resolution Number  
25, RESOLUTION CONFIRMING THE NOMINATION OF ROLAN JONI  
YOUNG, ESQUIRE, OF ORANGE TO BE CHAIRPERSON OF THE  
CONNECTICUT HOUSING FINANCE AUTHORITY, favorable  
reported the Committee on Executive and Legislative  
Nominations.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, thank you -- thank you, Mr. President.

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

THE CHAIR:

Senate will consider adoption of the resolution.

You may proceed further, if you'd like.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, Attorney Rolan Joni Young of Orange has been nominated by the Governor to be chair of the Connecticut Housing Finance Authority.

Attorney Young holds her bachelor's degree from Dartmouth College and her law degree from American University Washington College of Law. She currently works as senior partner at the firm of Berchem, Moses & Devlin, where concentrates in areas of municipal law, real estate and affordable housing, economic and community development.

She's also been an adviser to the Housing Authority of the City of Bridgeport with respect to HUD statutes and -- and regulations. She's extraordinarily knowledgeable in the field of -- of housing and public finance and she also serves on the board of governors of the University of New Haven and

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has been named chair of the board of governors of the Connecticut Housing Finance Authority, previously, in 2006. She is an extraordinarily talented and gifted attorney and public policy expert and I would urge approval of her nomination.

THE CHAIR:

Thank you, Senator.

Will you comment further regarding this resolution? Will you remark further?

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:

Is there objection?

Seeing none, so ordered.

Mr. Clerk.

THE CLERK:

Calendar Number 279, House Joint Resolution Number 66, RESOLUTION CONFIRMING THE NOMINATION OF LINDA P. PASSANISI OF MIDDLETOWN TO BE A MEMBER OF THE ADVISORY BOARD OF THE WORKERS' COMPENSATION COMMISSION, favorable reported the Committee on

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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:

Question before the Chamber is adoption of the resolution.

Do you care to remark further?

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, Linda Passanisi of Middletown has been nominated by Governor Rell to be a member of the Advisory Board of the Workers' Compensation Commission, as a representative of employers and she presently works as a police benefits coordinator for the city of West Haven and serves on the advisory board of the Workers' Compensation Commission.

Her former work experience includes serving as a hearing representative at Berkley Risk Administrators, as a third party administrator. She worked as a

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compensation specialist with the Connecticut Employees Union Independent for 14 years. She's certainly experienced in this field and will contribute significantly, as she has in the past, with her work on the Advisory Board of the Workers' Compensation Commission. I would urge approval of the nomination.

THE CHAIR:

Thank you, sir.

Will you remark further regarding this resolution? Will you remark further?

If not, Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

If there's not objection, I would move to place this item on the consent calendar.

THE CHAIR:

Without objection, this item will be placed on our consent calendar.

Mr. Clerk.

THE CLERK:

Calendar Number 280, House Joint Resolution  
Number 67, RESOLUTION CONFIRMING THE NOMINATION OF  
CHARLES F. SENICH, ESQUIRE, OF WOODBURY TO BE A MEMBER  
OF THE JUDICIAL REVIEW COUNCIL AS AN ALTERNATE

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WORKERS' COMPENSATION COMMISSIONER, favorable reported the Committee on Executive and Legislative Nominations.

THE CHAIR:

Mr. Majority Leader:

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:

Question before the Chamber is adoption of the resolution.

Do you care to remark further?

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, Commissioner Senich is a resident of Woodbury. He holds his law degree from the University of Bridgeport School of Law, his bachelor's degree from the University of Bridgeport. He has been a state workers' compensation commissioner since 2001. He previously served as a partner in a law firm in Cheshire and has experience working as a corporation counsel in the city of New Haven and worked in the

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Office of the Attorney General as well.

He is knowledgeable and experienced as commissioner, where he has served since 2001 and will do an excellent job as a member of the Judicial Review Council, as an alternate workers' compensation member.

THE CHAIR:

Thank you, Senator.

Are there further comments regarding this resolution? Are there further comments?

Seeing none, Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, I move to place this item on the consent calendar, if there is no objection.

THE CHAIR:

Without objection, so ordered.

Mr. Clerk.

THE CLERK:

Calendar Number 281, House Joint Resolution Number 68, RESOLUTION CONFIRMING THE NOMINATION OF MICHELLE D. TRUGLIA, ESQUIRE, OF STAMFORD TO BE A MEMBER OF THE JUDICIAL REVIEW COUNCIL, AS AN ALTERNATE WORKERS' COMPENSATION COMMISSION, favorable reported the Committee on Executive and Legislative



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Nominations.

THE CHAIR:

Mr. Majority Leader.

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:

Senate will consider adoption of the resolution.

Will you remark further?

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, Commissioner Michelle Truglia of Stamford has been nominated to be a member of the Judicial Review Council, as an alternate workers' compensation commissioner. And she has been serving as a workers' compensation commissioner and is a -- holds a bachelor of fine arts from Ohio Wesleyan University and her law degree from Quinnipiac College School of Law, where she was editor in chief of the Connecticut Probate Law Journal. She was admitted to practice in Connecticut as well as New York and is also a former assistant attorney general for the state

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of Connecticut in the trial and appellate litigation division prior to her appointment as a workers' compensation commissioner.

She is also active in community service and is a volunteer in a number of programs through -- through her community in Stamford and for a variety of arts, as well as bar association activities, and is someone with a very strong sense of -- of community responsibility and will certainly do a fine job when called upon as an alternate Workers' Compensation Commission member of the Judicial Review Council.

THE CHAIR:

Thank you, sir.

Are there further comments? Are there further comments regarding this resolution?

Seeing none, Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, if there's no objection, I would move to place this item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

Mr. Clerk.

THE CLERK:

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Calendar page 8, Calendar Number 282, House Joint Resolution Number 69, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE SANDRA SOSNOFF BAIRD OF NEW HAVEN TO BE A MEMBER OF THE JUDICIAL REVIEW COUNCIL, AS AN ALTERNATE FAMILY SUPPORT MAGISTRATE, favorable reported 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:

Question is adoption.

Will you remark further?

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, Ms. Sandra Sosnoff Baird has had an outstanding legal career. She is -- has now been nominated to serve as a member of the Judicial Review Council, as an alternate family support magistrate. She holds her bachelor's degree from Nebraska Wesleyan

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University, an MPA from Syracuse University's Maxwell School, her law degree from the New York University School of Law.

She currently serves as the chief family support magistrate. Having served as chief since 2007. Has been a family support magistrate since 1995. She also chairs the implementation team for problem solving in the family support magistrate division. She previously worked in -- in private as -- as an attorney with very diverse experience as well as having been corporation counsel for the city of New Haven. She is someone has been both -- both an advocate in the community. She also has engaged in a number of community volunteer activities for various causes to assist the needy, as well as been active in her church.

She is someone who has been a very strong part of the fabric of the -- of the greater New Haven community and has made everyone proud during her service, as a family support magistrate, and I would urge that her nomination to the Judicial Review Council be approved.

THE CHAIR:

Thank you, Senator.

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Are there further comments regarding this nomination? Are there further comments?

If not, Senator Looney.

SENATOR RORABACK:

Yes, thank you, Mr. President.

Mr. President, if there's no objection, I would move to place this item on the consent calendar.

THE CHAIR:

Motion is to place this item on the consent calendar. Is there objection?

Seeing none, so ordered.

SENATOR RORABACK:

Mr. President, if I might yield to Senator Musto, I believe he has a point of personal privilege and an introduction.

THE CHAIR:

Senator Musto, if you'll accept the yield.

SENATOR MUSTO:

Thank you, Mr. President.

I just want to introduce --

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Thank you, Mr. President.

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I just want to introduce to the chamber two students -- two classes of students from Booth Hill Elementary School in the town of Trumbull. My wife used to work there as a speech therapist. I've got several friends whose children go there. Is Mr. Colucci in this class or was he in the prior class?

A VOICE:

The prior class.

SENATOR MUSTO:

The prior class. I just spoke Ms. Colucci yesterday and she's been a great advocate for the town in fighting a particular issue we have in Trumbull. I just wanted to give them a quick view of what it looks like from down here when you're looking up and I'm glad that they're here to watch what we do every day.

So if the Senate could give them a warm welcome, those of us that who are here, I'd appreciate it.

You guys drive safe and we'll see you back in Trumbull. Take care.

VOICES:

Thank you.

A VOICE:

You're welcome.

THE CHAIR:

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Thank you, Senator Musto.

Would the Clerk please return to the call of the calendar.

THE CLERK:

Calendar Number 283, House Joint Resolution  
Number 70, RESOLUTION CONFIRMING THE NOMINATION OF  
JACK H. TESTANI OF TRUMBULL TO BE A MEMBER OF THE  
METRO NORTH NEW HAVEN RAIL COMMUTER COUNCIL, favorable  
reported 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:

Question is adoption of the resolution.

Do you care to remark further?

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, Mr. Testani has been nominated to  
serve as a member of the Metro North New Haven Rail

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Commuter Council. He holds a bachelor's degree in -- bachelor's of science from Central Connecticut State University and a master's in business administration from Sacred Heart University. He currently works for ICON International, Inc., as a sales and account supervisor. He previously worked for -- as a regional manager of (inaudible), Inc.

He is someone who has been active in -- in community and civic enterprises and volunteer enterprises for many years in the town of Trumbull. He has volunteered there as a coach in soccer, baseball, football and lacrosse. He is somebody who is an energetic presence and will certainly be an asset to the council and I would urge approval of his nomination.

THE CHAIR:

Thank you, Senator.

Further remarks?

Senator Debicella.

SENATOR DEBICELLA:

Just briefly, Mr. President, I've known Jack Testani for number of years but most recently in his capacity on this advisory board. He has actually been very valuable to me in learning some of the concerns



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of Metro North riders in talking about some of the security issues that are present on our trains. So he is someone who not only, as Senator Looney said, has had tremendous community service but someone who has brought a lot of thought and brought those skills to bear on this advisory.

So I fully support his nomination and urge the body to approve it. Thank you.

THE CHAIR:

Thank you, Senator.

Are there further comments? Are there further comments regarding this resolution?

If not, Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, if there's no objection, I would move to place this item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

Mr. Clerk.

THE CLERK:

Calendar Number 284, House Joint Resolution Number 71, RESOLUTION CONFIRMING THE NOMINATION OF LUKE SCHNIRRING OF NORWALK TO BE A MEMBER OF THE METRO

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NORTH NEW HAVEN RAIL COMMUTER COUNCIL, favorable  
reported 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:

Question is acceptance and adoption of the  
resolution.

Will you remark further?

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, Mr. Schnirring has been nominated  
by the Governor to serve as a member of the Metro  
North New Haven Rail Commuter Council. He holds a  
bachelor's degree from the University of Denver. He  
currently serves as executive vice president and  
director of digital media for Tech Briefs Media and  
someone who has been riding the Metro North railroad  
for many, many years. He is a very strong advocate

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for improved conditions for commuter rail in Connecticut and I would urge approval of his nomination.

THE CHAIR:

Thank you, Senator.

Are there further comments?

Seeing none, Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, if there's no objection, I would move to place this item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

Mr. Clerk.

THE CLERK:

Calendar Number 285, House Joint Resolution Number 72, RESOLUTION CONFIRMING THE NOMINATION OF MARTIN B. BURKE, ESQUIRE, OF ROCKVILLE TO BE A MEMBER OF THE JUDICIAL REVIEW COUNCIL, AS AN ALTERNATE ATTORNEY, favorable reported the Committee on Executive and Legislative Nominations.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

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Yes, thank you, Mr. President.

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

THE CHAIR:

Question is adoption.

Will you remark further?

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, Attorney Burke has been nominated by the Governor to serve as an alternate attorney member of the Judicial Review Council, which, as we know, considers complaints against judges, family support magistrates and workers' compensation commissioners. He is a highly experienced attorney. He is actually a former state representative from Vernon. He now lives in Rockville.

He holds a bachelor's degree from Colgate University. His law degree from Albany Law School. He currently practices in the areas of estate planning, probate and elder law, municipal law, real estate and veterans benefits. He's also the assistant town attorney for the town of Vernon. He was admitted to the bar in New York and Maine, as well as in

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Connecticut. And he is a member of the Guild of Catholic Lawyers and is also someone who has been very active in -- in organizations connected to the University of Connecticut Law School, School of Law Foundation. And he is a former member and chairman of the Connecticut Law Revision Commission and of the Governor's Commission on Judicial Reform.

As I said, he was a state representative from Vernon elected -- first elected in 1974. Someone who brings a wealth of experience both in terms of knowledge of public policy and the practice of law and I urge confirmation of his nomination.

THE CHAIR:

Thank you, Senator.

Are there further comments?

Seeing none, Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

If there's no objection, I would move to place this item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

Mr. Clerk.

THE CLERK: