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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

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couple of calendar markings.

Mr. President, on calendar page 8, Calendar Number 96 -- Calendar Number 96, Senate Bill number 195, previously marked go, would instead, Mr. President, change that marking to pass, retaining its place on the Calendar.

THE CHAIR:

So noted.

SENATOR LOONEY:

Thank you, Mr. President.

Two other changes in marking, moving to calendar page 23, Calendar 333, Senate Bill Number 270 that had previously been marked for referral to the Appropriations Committee, instead of making that referral would change the marking on that item to PR.

THE CHAIR:

So noted, sir.

SENATOR LOONEY:

Thank you, Mr. President.

And on calendar page 25, Calendar 348 -- calendar page 25, Calendar 348, Senate Bill 250, also previously marked for referral to the Appropriations Committee, instead we will just marked that bill, passed, retaining its place on the Calendar.

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THE CHAIR:

So noted, Mr. Majority Leader.

SENATOR LOONEY:

Thank you, Mr. President.

The Clerk might return to the call.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Returning to the call of the Calendar, calendar page 5, Favorable Reports, Calendar Number 53, File Number 28, substitute for Senate Bill 141, AN ACT REQUIRING DISCLOSURE OF OFFSETS IN GROUP LONG TERM DISABILITY INSURANCE POLICY, favorable report of the Committee on Insurance.

SENATOR LOONEY:

Mr. President, that item might be passed temporarily?

THE CHAIR:

If there's no objection, it'll be passed temporarily.

THE CLERK:

Calendar Number 55, File Number 29, Senate Bill Number 148, AN ACT CONCERNING THE TERM "EMERGENCY MANAGEMENT DIRECTOR" AND REDEFINING "MAJOR DISASTER"

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AND "EMERGENCY," favorable report of the Committee on
Public Safety.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you, Mr. President, nice to see you there.

THE CHAIR:

Thank you.

SENATOR STILLMAN:

I move the joint committee's favorable report and
passage of the bill.

May I proceed?

THE CHAIR:

Yes, you may. Proceed please.

SENATOR STILLMAN:

Thank you, sir.

This bill is a rather straightforward bill. It
conforms the definitions of "major disaster" and
"emergency" to the Department of Emergency Management
Homeland Security usage for purposes of civil
preparedness in emergency management statutes --
statutes. Excuse me, and I move its adoption.

THE CHAIR:

So moved.

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Any discussion?

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

The Clerk has in his possession an amendment LCO 3642. I ask for it to be called and be allowed to summarize.

THE CHAIR:

The Clerk will please call the amendment.

The Clerk:

LCO 3642 which will be designated Senate Amendment Schedule "A" is offered by Senator Witkos of the 8th District.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

This is an amendment that was brought to the chamber's attention towards the end of last year's session, and rightfully so I was asked to bring it back again this year to have a public hearing so it could be vetted out. The bill was vetted out in the Labor Committee and the chair of the Public Safety Committee was kind enough allow this amendment to go

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forward.

This -- the amendment has to deal with second in commands in the police department. It gives them the rights of protection guaranteed those of the number one in command, that being the chief of police. This puts police departments on par with fire departments, Mr. President, wherein the current fire marshal and deputy fire marshals are afforded the same protection.

I ask for its adoption.

THE CHAIR:

Thank you, Senator.

Senator Stillman.

SENATOR STILLMAN:

Thank you, Mr. President.

I consider this, what we call, a friendly amendment. Senator Witkos and I had a conversation about this bill not just last year but just a little while ago. Unfortunately, his bill, which was referred to the Public Safety Committee from the Labor Committee, got caught up in the transfer of business.

So with it, I support the adoption of this amendment, and I thank you --

THE CHAIR:

We like friendly amendments?

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SENATOR STILLMAN:

Thank you.

THE CHAIR:

If there's no further discussion, all those in favor of the amendment please indicate by saying aye.

SENATORS:

Ayes.

THE CHAIR:

Opposed, nay.

The ayes have it.

Mr. Majority Leader.

SENATOR LOONEY:

Thank you, Mr. President.

With the adoption of the amendment, we move that the bill, as amended, be placed on the consent calendar.

THE CHAIR:

Without objection, so moved.

The Clerk will return to the call of the Calendar.

THE CLERK:

Calendar Number 56, File Number 30, substitute for Senate Bill 150, AN ACT CONCERNING REPEATED FALSE ALARMS, favorable report of the Committee on Public

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Safety.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you again, Mr. President.

I move the joint committee's favorable report and passage of the bill.

If I may, Mr. President?

This bill clarifies and classifies infractions and violations that are subject to existing penalties in repeated false alarms. Only those that are requiring state police response. It does not have any municipal conc -- references. It is strictly for those that the state police need to respond to. Many times those are resident state trooper towns, and -- I do -- and so I move its adoption.

THE CHAIR:

Thank you, Senator.

Any further remarks?

SENATOR STILLMAN:

If I may, under remarks?

THE CHAIR:

So moved. Excuse me.

SENATOR STILLMAN:

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Thank you, Mr. President.

I just wanted to clarify. There was some concern that this bill -- not be -- that the language in the bill was not clear enough about municipal involvement, and I just wanted -- for the record and for legislative intent -- to reitify what the OLR report states which is that this is strictly for state police false alarm calls.

And -- thank you.

THE CHAIR:

Thank you, Senator.

Any further comments or remarks?

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

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

THE CHAIR:

If the proponent would prepare herself.

Senator Witkos.

SENATOR WITKOS:

Thank you.

Through you, Mr. President. The bill doesn't change the amount of the fines. All it does, from my

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re-read, is just say rather than just a fee it is now going to be considered an infraction; is that correct through you, Mr. President?

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you. Mr. President, that is correct. The bill classifies repeated false alarms as an infraction, a violation, and transfers the administrative duties from the Department of Public Safety to the Judicial Department Centralized Infraction Bureau.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you.

And through you, Mr. President, would there be any type of a log or report that one may look further on down the line through the Judicial Department Centralized Infraction Bureau that may not necessarily be available to someone to seeking if they have penalized now that it's an infraction, through you.

THE CHAIR:

Senator Stillman.

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SENATOR STILLMAN:

Thank you, Mr. President.

The -- you raise a good -- a good point and I would certainly hope that reports such of that -- as that would be public.

THE CHAIR:

Thank you, Senator.

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

I thank the gentlewoman for her answers.

THE CHAIR:

Any further comments or remark on this bill?

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, if there is no objection, I would move to place this item on the consent calendar.

THE CHAIR:

Without objection, it will be so placed.

The Clerk will return to the call of the Calendar.

THE CLERK:

Calendar page 6, Calendar Number 66, File Number

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50, Senate Bill Number 281, AN ACT CONCERNING THE
PUBLIC PARTICIPATION IN MEETINGS OF THE PHARMACEUTICAL
AND THERAPEUTICS COMMITTEE, favorable report of the
Committee on Human Services.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Thank you, Mr. President.

I move acceptance of the joint committee's
favorable report and passage of the bill.

THE CHAIR:

The bill has been moved.

Would you care to remark?

SENATOR DOYLE:

Yes, Mr. President.

What this bill does is in the existing
Pharmaceutical and Therapeutics Committee this
basically gives the public the opportunity to have --
or the opportunity for public comment at the meetings.
It's a rather simple bill. It simply gives the public
the opportunity to speak at these meetings. In the
past, some of our constituents have complained that
they had no opportunity at these meetings to present
their opinion. So this bill broadly gives the

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committee the op -- the command without detailing specifically how to do it or how much time but just says, please give the public and opportunity for public comment.

I think it's a good bill, and I hope that the chamber will support it.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Doyle.

Any further comment or remark on the bill?

If not, Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, if there is no objection, would move to place this item on the consent calendar.

THE CHAIR:

Without objection, so moved.

SENATOR LOONEY:

Thank you, Mr. President.

THE CLERK:

Calendar Number 71, File Number 39, Senate Bill number 65, AN ACT CONCERNING UNEMPLOYMENT COMPENSATION EXTENDED BENEFITS, favorable report of the Committee on Labor and Public Employees.

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THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Mr. President, I move the joint committee's favorable report and passage of the bill.

THE CHAIR:

So moved.

Would you care to remark?

SENATOR PRAGUE:

I just -- may I just stand at ease for a minute for just a minute, Mr. President?

THE CHAIR:

The committee -- the chamber will stand at ease for a moment.

SENATOR PRAGUE:

Thank you.

(At ease.)

SENATOR PRAGUE:

Mr. President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Thank you very much, Mr. President.

Mr. President, this is the Labor Department's

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bill that puts the Labor Department in conformity with federal regulations. The bill happens to be critically important for the continuation of our Unemployment Compensation Benefits with funding from the federal government.

I just urge passage of the bill.

THE CHAIR:

Have you moved the bill, Senator?

SENATOR PRAGUE:

Oh, I'm sorry, Mr. President.

I move the joint committee's favorable report and passage of the bill.

THE CHAIR:

Thank you, Senator.

Any further remarks? Any further remarks?

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. If there is no objection and no further discussion, would move to place this item on the consent calendar.

THE CHAIR:

It appears that there's an objection.

Any further remarks on the bill?

Senator Fasano.

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SENATOR FASANO:

Thank you, Mr. President.

Thanks.

Mr. President, I believe there is an amendment to this bill being LCO 3654. I would ask the Clerk to call that amendment.

THE CHAIR:

Will the Clerk please call the amendment.

THE CLERK:

LCO 3654 which will be designated Senate Amendment Schedule "A" is offered by Senator Witkos of the 8th District.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Sure. Mr. President, may we stand at ease for a moment, please?

THE CHAIR:

The committee -- the chamber will stand at ease.

(At ease.)

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

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Mr. President, I wasn't going to call that amendment and the matter can be placed on consent.

Thank you.

THE CHAIR:

Okay. I think we have to withdraw the amendment first.

SENATOR FASANO:

I withdraw the amendment.

THE CHAIR:

Motion to withdraw without objection. The amendment is withdrawn.

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, if there is no further discussion on this item, I would move to place it on the consent calendar.

THE CHAIR:

Without objection, so moved.

THE CLERK:

Calendar Number 76, File Number 75, substitute for Senate Bill 246, AN ACT CONCERNING ISSUANCE OF EMERGENCY CERTIFICATES AND THE SAFETY OF PATIENTS AND STAFF AT FACILITIES OPERATED BY THE DEPARTMENT OF

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MENTAL HEALTH AND ADDICTION SERVICES, favorable report
of the Committee on Public Health.

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

Thank you, Mr. President. Good afternoon.

THE CHAIR:

Good afternoon, Senator.

SENATOR HARRIS:

Mr. President, I move acceptance of the joint
committee's favorable report and passage of the bill.

THE CHAIR:

So moved.

Would you care to remark?

SENATOR HARRIS:

Thank you, Mr. President.

Mr. President, fairly simply, Mr. President, this
bill permits clinical social workers and advance
practice nurses who are members of the Department of
Mental Health and Addiction Services Certified
Community Support Program to issue emergency
certificates directing a person with psychiatric
disabilities to be taken to a hospital for evaluation.
Basically, it expands the types of people that can

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issue these emergency certificates.

It also makes some technical changes to the DMHAS statutes regarding the Connecticut Valley Hospital Advisory Council and restrictions on psychiatric hospital patients' communication by mail and telephone in certain circumstances.

Mr. President, the Clerk is in possession of Amendment LCO 3443. I ask that it be called, and I be granted permission to summarize.

THE CHAIR:

Will the Clerk please call?

THE CLERK:

LCO 3443 which will be designated Senate Amendment Schedule "A" is offered by Senator Harris of the 5th District, et al.

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

Thank you, Mr. President.

I move adoption.

THE CHAIR:

The amendment has been moved.

Would you please -- care to remark on that?

SENATOR HARRIS:

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Thank you, Mr. President.

Very simply, this amendment enables DMHAS to carry out the agreement with respect to the Certificate of Need process that was just decided recently by the Office of Health Care Access.

THE CHAIR:

Thank you, Senator Harris.

Any further remarks on the amendment? Seeing none, all those in favor of the amendment, please indicate by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nay. The ayes have it.

Senator Harris.

The amendment is adopted. That's it.

SENATOR LOONEY:

Mr. President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, would move that the bill, as amended, be referred to the Appropriations Committee.

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THE CHAIR:

So moved.

...Clerk will return to the call of the Calendar. ...

THE CLERK:

Calendar page 9, Calendar Number 117, File Number
166, Senate Bill Number 232, AN ACT CONCERNING THE USE
OF A CERTIFICATE, PROFESSIONAL DESIGNATION OR
ADVERTISING IN ADVISING SENIOR CITIZENS, favorable
report of the Committee on Aging and Banks.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Thank you, Mr. President.

I move the joint committee's favorable report and
passage of the bill.

THE CHAIR:

The bill has been moved.

Would you care to remark, Senator?

SENATOR PRAGUE:

I move adoption, Mr. President.

What this bill does is if somebody is going to
present themselves as some kind of an expert, you
know, to help seniors make decisions as to what to do
with their money or any other type of investment --

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something about their house or whatever it is. They have to have some kind of certification. I just spoke to the representative of the Banking Department. They already have in place licenses and certification for people who are going to be advisors. And, you know, seniors can very easily be deceived. They're very trusting. If somebody has to present the certification or the license for the profession that they're claiming to represent. And in that way we will protect the seniors.

I'd also like to yield to Senator Kissel who is the ranking member on the Aging Committee.

Senator Kissel.

THE CHAIR:

Senator Kissel, do you accept -- accept the yield?

SENATOR KISSEL:

Yes, I do, Mr. President. It's great to see you up there, Mr. President, this afternoon.

THE CHAIR:

Thank you, Senator.

SENATOR KISSEL:

I want to commend Senator Prague and Representative Serra, the co-chairs of the Select

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Committee on Aging. This is an excellent bill.

We live in a state with an aging population. Indeed, with the movement of the baby boomers, along with their lives, indeed I would say that most of our nation has a large aging population. And unfortunately what we've seen over time is that there are folks out there that prey upon people, take advantage of people and put themselves out to people positing that they are experts in certain fields.

We've tried to get our arms around this issue by having no call lists so that people can't just cold call you at home and try to put out that they are experts in a certain field. But, with our aging population -- and especially in a difficult economy where folks have to shepherd their resources so carefully. As much as it's difficult to stay on top of things of a financial nature, it's also most people's desire to get expert advice and to try to seek that out.

And if individuals are putting themselves forward of having a sense of expertise, a background, and they're doing it just to try and get money from other people and indeed from our seniors then that is completely inappropriate. So this is the first step,

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having these people required to show their bona fides that they have legitimate expertise in these fields -- that doesn't mean that all of their advice is going to be 100 percent accurate all the time. We have seen that even the best financial advisors can make mistakes. But clearly getting a huge amount of folks off the field that have no such expertise and are merely putting themselves out there to make a fast dollar -- to make a fast dollar to the great detriment of our seniors is completely wrong.

And so I truly believe that this piece of legislation, while a small step in a positive direction, is an important step in a positive direction and would help us to protect our seniors from folks that merely want to take them for their money, leave them with no sage advice, and then you can't find them two days later. They've hopscotched to somewhere else.

So, again, great credit to the co-chairs and my colleagues. It's a bipartisan proposal. Happy to co-sponsor it and strongly support it, Mr. President.

THE CHAIR:

Thank you, Senator Kissel.

Will you remark further?

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SENATOR PRAGUE:

Mr. President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

If there is no objection, I'd like to put this on
the consent calendar.

THE CHAIR:

Seeing no objection? This will be moved to the
consent calendar.

SENATOR PRAGUE:

Thank you.

THE CHAIR:

Thank you, Senator.

THE CLERK:

Calendar page 10, Calendar Number 119, File
Number 168, substitute for Senate Bill 261, AN ACT
CONCERNING THE CONNECTICUT JOB CORPS TASK FORCE,
favorable report of the Committee on Labor and
Commerce.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Thank you, Mr. President.

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Mr. President, I move the joint committee's favorable report and passage of the bill.

THE CHAIR:

The bill has been moved.

Senator Prague, would you remark?

SENATOR PRAGUE:

Mr. President, many, many years ago, after the first Great Depression that we had back in the late twenties and early thirties, President Roosevelt at that time developed a jobs program called the WPA. The purpose of the bill before us is to look at the possibility of instituting a similar program now that we're so desperate for jobs. There's a task force that will be implemented by the passage of this bill to study how they did it back when and see if there are some parts of it that we can implement in our current economic crisis.

I move adoption of this bill, Mr. President. I think if we can develop this task force that will look at the possibility of duplicating some of the successful proposal used after the Great Depression to restart the economy that would be a big plus for us.

Thank you.

THE CHAIR:

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Thank you, Senator Prague.

Will you remark further?

Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President.

I am fully in favor of the concept of this bill. And a question -- actually, I will withdraw the question. I'll just make the statement and that is this, is that the world has changed significantly since the 1930s and what I would like to see going forward as a result of this bill's successful passage is to -- to perhaps not refer so much back to the WPA program and not refer back to the policies that were put into place, which are of much contention these days in that many people do believe that they, in fact, prolong the recession or the Great Depression of the 1930s. But to look at it as a constructive document going forward so that, in fact, we can figure out ways to bring jobs back to the state of Connecticut and continue on an upward growth path. It's just the fact that we're referring to something that is 70 to 80 years old and the world has changed. We're much more of an international economy these days, and the dynamics of the economy are significantly

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different given the different industries that we're involved in. So just -- I hope that's taken as a -- through you, Mr. President, as a constructive suggestion to the proponent of the bill

Thank you.

THE CHAIR:

Thank you, Senator Frantz.

Senator Prague.

SENATOR PRAGUE:

Through you, Mr. President.

Thank you, Senator Frantz.

Times have changed but sometimes the old-fashioned things still work. So we could implement your ideas and put them into this bill, and I hope that we're successful in developing some kind of program that will begin to offer people jobs.

Thank you.

If there is --

THE CHAIR:

Thank you, Senator.

SENATOR PRAGUE:

If there is no other comment or any objections, I would ask that this be placed on consent.

THE CHAIR:

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Seeing no objections? This will be moved to the
consent calendar, Senator.

SENATOR PRAGUE:

Thank you.

THE CHAIR:

Thank you.

THE CLERK:

Calendar Number 124, File Number 167, substitute
for Senate Bill 251, AN ACT CONCERNING THE LONG TERM
CARE ADVISORY COUNCIL, favorable report of the
Committee on Human Services.

SENATOR LOONEY:

Mr. President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, Mr. President, that item might be passed
temporarily?

THE CHAIR:

It'll be passed -- passed over temporarily.

Mr. Clerk.

THE CLERK:

Calendar Number 127, File Number 164, substitute
for Senate Bill 215, AN ACT CONCERNING VETERAN TUITION

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WAIVERS, favorable report of the Committees on Veteran Affairs and Higher Education.

THE CHAIR:

Senator Maynard.

SENATOR MAYNARD:

Thank you, Mr. President. I move the joint committee's favorable report and passage of the bill.

THE CHAIR:

The motion is on passage.

SENATOR MAYNARD:

Yes, Mr. President.

This bill is recredible -- regrettably required because a bill that we passed previously that would guarantee a veteran's benefit to people in active service was being misused by, in our view, by folks who were separated from service academies but were being rewarded with multiple years of tuition benefit that they were frankly not intended to receive. So this bill corrects that problem and will actually end any tuition benefit even for those who have been receiving it. I, frankly, think they ought to be grateful that we're not asking for our money back. They were not entitled to this. They shouldn't be receiving it and we're ending that proc -- that

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practice.

I want to say that the University of Connecticut was not responsible for that decision. It is coming directly from the Veterans Committee and the chairs agree on that measure. We want to make sure that no person who is not intended to receive a tuition benefit should receive one. And I hope we can add this to the consent calendar without objection.

THE CHAIR:

Thank you, Senator.

Are there further remarks on the bill? If not, there's a motion to move this to the consent calendar.

SENATOR LOONEY:

Mr. President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

We might stand at ease for just a moment?

THE CHAIR:

The chamber will be at ease.

(At ease.)

THE CHAIR:

Senator Looney.

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SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, if there is no objection, move to place this item on the consent calendar.

THE CHAIR:

Seeing no objection, the item is placed on the consent calendar.

SENATOR LOONEY:

Mr. President, if we might return to the immediately previous item that was passed temporarily. If the Clerk would call calendar page -- calendar page 10, Calendar 124, Senate Bill 251.

THE CLERK:

Calendar 124, File Number 167, substitute for Senate Bill 251, AN ACT CONCERNING THE LONG TERM CARE ADVISORY COUNCIL, favorable report of Committee on Human Services.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

There it is.

Thank you, Mr. President. I move acceptance of the joint committee's favorable report and passage of the bill.

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THE CHAIR:

The bill has been moved.

Would you care to remark?

SENATOR DOYLE:

Yes, Mr. President.

The final copy of this bill adds a individual to the Long Term -- Long Term Care Advisory Council, a person who has expertise in mental health issues. And the Clerk also has an amendment that would add another person to this committee. I would ask the Clerk to please call LCO 3299, and I be allowed to summarize, Mr. President.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 3299 which is a Senate Amendment Schedule "A"
is offered by Senator Doyle of the 9th District.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Thank you, Mr. President.

I move adoption of the amendment.

THE CHAIR:

So moved.

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SENATOR DOYLE:

Thank you. -

As I previously mentioned, this -- this amendment simply adds another individual to the Long Term Care Advisory Council, and I think it's a good amendment --

THE CHAIR:

Thank you, Senator Doyle.

SENATOR DOYLE:

-- and I would urge this chamber to approve it.

THE CHAIR:

Any discussion on the amendment? Seeing none, all those in favor of the amendment please indicate by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nay. Motion passes. The amendment passes.

Senator Doyle.

SENATOR DOYLE:

I have no other further comments on the bill, Mr. President, at this time.

THE CHAIR:

Thank you, Senator Doyle.

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Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, if
there is no objection or further comment, I would move
that the bill be placed on the consent calendar.

THE CHAIR:

Seeing no objection, this bill will be placed on
the consent calendar.

SENATOR LOONEY:

Mr. President, for purposes of a change in
marking?

THE CHAIR:

Please proceed.

SENATOR LOONEY:

Yes, Mr. President, on calendar page -- page 11,
Calendar 149, Senate Bill 244 that was previously
marked passed temporarily, if that item might now be
placed on the consent calendar?

THE CHAIR:

Seeing no objection, so -- it shall be so placed.

SENATOR LOONEY:

Thank you, Mr. President.

THE CHAIR:

Mr. Clerk.

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THE CLERK:

Calendar page 13, Calendar Number 184, File Number 251, substitute for Senate Bill 295, AN ACT REQUIRING A RESULTS BASED ACCOUNTING REPORT CARD OF OUT OF STATE RESIDENTIAL TREATMENT OF JUVENILES, favorable report of the Committee on Children and Human Services.

SENATOR LOONEY:

Mr. President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. That item might be passed retaining its place on the Calendar?

THE CHAIR:

It will be.

THE CLERK:

Calendar page 14, Calendar Number 216, File Number 294, substitute for Senate Bill number 256, AN ACT CONCERNING ASSESSMENTS FOR HEALTH BENEFIT REVIEWS PERFORMED BY THE INSURANCE DEPARTMENT, favorable report of the Committee on Insurance and Real Estate.

THE CHAIR:

Senator Crisco.

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If the chamber would stand at ease for a moment.

(At ease.)

THE CHAIR: . . .

The chamber will come back to order.

Senator Crisco.

SENATOR CRISCO:

Thank you, Mr. President. I apologize. I wasn't aware the bill was up.

Mr. President, I move for acceptance of the joint committee's favorable report and passage of the bill.

THE CHAIR:

The bill has been moved.

Would you care to remark?

SENATOR CRISCO:

Yes, Mr. President.

I believe that there's an LCO, LCO number 3100.

THE CHAIR:

Would the Clerk please call the amendment?

THE CLERK:

LCO 3100, designated Senate Amendment Schedule

"A." It's offered by Senator Crisco of the 17th District.

THE CHAIR:

Senator Crisco.

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SENATOR CRISCO:

Thank you, Mr. President. I move for acceptance of the amendment and that the waiving -- the reading be waived so I may summarize.

THE CHAIR:

Motion's on acceptance.

Senator Crisco.

SENATOR CRISCO:

Thank you, Mr. President.

Mr. President, basically, what this amendment does -- it -- it's probably -- it is a major part of the bill. Last year the General Assembly, in its wisdom, decided that whenever there is a man -- insurance mandate or what we refer to as an insurance prevention, that there should really be a cost benefit analysis of the legislation.

Several states do this already. And they are fortunate enough to have the money for the analysis taken out of their general fund. But as we all know -- as we know, unfortunately, we cannot do this in the state of Connecticut.

So what has transpired is that all insurance companies, a year ago, were assessed a certain amount of money for the cost benefit analysis of five initial

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mandates. Also with the legislation that we go forward and analyze all mandates on our books. After the first assessment, it was a concern of the property and casualty companies that they really are not in the healthcare business. And while they enjoy helping initially, they felt that they should be exempt from future assessments. And so talking to all the industry, it was decided that we would exempt the property and casualty companies from future assessments starting in November, Mr. President.

THE CHAIR:

Thank you, Senator.

Are there any further remarks on the amendment?

Senator Caligiuri.

SENATOR CALIGIURI:

Thank you, Mr. President. If I may, I have a question, through you to Senator Crisco?

THE CHAIR:

Please proceed.

SENATOR CALIGIURI:

Through you, Mr. President. Just for the sake of clarifying, it appears to me that the purpose of the amendment before us is to make it absolutely clear that what we're clarifying here is the public act that

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was enacted last year which imposes the benefit assessment for purposes of funding the health mandate study. Through you, Mr. President, is that correct?

THE CHAIR:

Senator Crisco.

SENATOR CRISCO:

Mr. President, through you to Senator Caligiuri, yes.

THE CHAIR:

Senator Caligiuri.

SENATOR CALIGIURI:

Thank you, Mr. President.

I thank Senator Crisco for that response.

I believe this is a good amendment that makes what is a good underlying bill that much better and I intend to support it for those reasons.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Senator Crisco.

SENATOR CRISCO:

Mr. President, that summarizes. I would ask that the amendment be adopted.

THE CHAIR:

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Any further remarks on the amendment? Seeing none, all those in favor of the amendment please indicate by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nay. Amendment passes.

Senator Crisco.

SENATOR CRISCO:

Yes, Mr. President. I thank the ranking member of the Insurance Committee for his support and his help in addressing this issue, and if there is no objection, I ask that it be placed on the consent calendar.

THE CHAIR:

Thank you, Senator Crisco.

Seeing no objection, the bill will be placed -- as amended, it will be placed on the consent calendar.

THE CLERK:

Calendar page 15. Calendar Number 232, File Number 346, substitute for Senate Bill 296, AN ACT CONCERNING VISITATION BETWEEN A PARENT AND A CHILD IN CASES INVOLVING THE DEPARTMENT OF CHILDREN AND FAMILIES, favorable report of the Committee on

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Children and Human Services.

SENATOR MUSTO:

Afternoon, Mr. Pr --

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Yes, afternoon, Mr. --

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

President, how are you?

THE CHAIR:

I'm great. Good to see you.

SENATOR CALIGIURI:

Mr. President, I move the joint committee's favorable report and passage of the bill.

THE CHAIR:

So moved. Would you remark further?

SENATOR MUSTO:

Yes, Mr. President. This bill does two things. The first is that if there is a permanency plan instituted by the Department of Children and Families for reunification with the parent, the plan provides for not less than four visits per month between the

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parent and that child at a designated place. And the second change from current law is that the visits with the parents shall not be suspended except in an emergency unless there is a hearing on that issue. And that's really all the bill does, Mr. President.

THE CHAIR:

Thank you, Mr. Senator.

Any further remarks on the bill?

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I move to place the item on the consent calendar.

THE CHAIR:

Without objection, so moved.

Excuse me, Senator, it looks like we have a question. We have an objection?

SENATOR LOONEY:

Yes, Mr. President, thanks. We would move to a roll call on the item.

THE CHAIR:

Roll call will be held. Any further discussion on this bill? If not --

The chamber will stand at ease for a moment.

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(At ease.)

THE CHAIR:

Will the chamber please come back to order?

Mr. Clerk, will you please announce the pendency
of a roll call.

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 opened. Please cast your
ballots. Vote your votes.

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

Would the Clerk please take a tally.

THE CLERK:

Motion's on adoption of Senate Bill 296.

Total Number Voting	34
Those voting Yea	32
Those voting Nay	2
Those absent and not voting	2

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THE CHAIR:

The bill passes.

A VOICE:

Oh, you have to lock it up there. You're the -- you're in control of that. There you go. They just cleared up. I think -- I think Senator Looney would like to be recognized.

THE CHAIR:

Right. Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, for a marking, I believe that the -- the next item scheduled on the calendar -- I believe there is an amendment on the way that will be offered. So that is calendar page 15, Calendar 233, Senate Bill 97. If that bill might be passed temporarily, we will return to it when an amendment is filed.

THE CHAIR:

That bill will be passed over temporarily.

Senator Looney.

SENATOR LOONEY:

Mr. President, if the Clerk would return to the call.

THE CHAIR:

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Mr. Clerk.

THE CLERK:

Calendar page 17, Calendar Number 270, File
Number 389, substitute for Senate Bill 234, AN ACT
CONCERNING NOTIFICATION OF FINANCIAL STABILITY OF
NURSING HOME FACILITIES AND MANAGED RESIDENTIAL
COMMUNITIES TO PATIENTS AND RESIDENTS, favorable
report of the Committees on Aging and Public Health.

THE CHAIR:

Senator Prague had to jaunt across the chamber on
that one.

Senator Prague.

SENATOR PRAGUE:

Mr. President, thank you. I move acceptance of
the joint committee's favorable report and passage of
the bill.

THE CHAIR:

The question is on passage.

Senator Prague.

SENATOR PRAGUE:

What the bill does is -- you know, nursing homes,
unfortunately, some of them are finding it difficult
to stay in business, some of them go into
receivership, some of them go into bankruptcy. And

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what this bill does is say that people should be notified, either the patient or the responsible person, the family member, should be notified beforehand that the nursing home that they're in is facing financial problems. This gives the family members a chance to look for another bed in another facility.

This is really a very important issue in this critical time when there are more nursing homes, it seems, that are having financial problems. And what happens when the nursing home goes into bankruptcy or into receivership and maybe closes that the patients have to hustle around to find a place to go. So this gives the family members or the patient the upfront notice that this is in the works and it gives them time to make preparation.

Thank you. I move adoption.

THE CHAIR:

Thank you, Senator.

SENATOR PRAGUE:

What amendment? What amendment?

A VOICE:

It's the amendment. You have to call the amendment.

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SENATOR PRAGUE:

What does it do?

A VOICE:

That's the one that adds the conservators and guardians and everything. You know how to do that?

SENATOR PRAGUE:

Mr. -- Mr. President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

The Clerk has an amendment.

THE CHAIR:

The Clerk will please call the amendment.

SENATOR PRAGUE:

It's LCO 3398.

THE CLERK:

LCO 3398, which will be designated Senate Amendment Schedule "A" is offered by Senator Prague of the 19th District, et al.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Thank you, Mr. President.

What the amendment does is to insert in the

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correct place the mandate that if there is a legally liable relative, guardian or conservator when the person in the nursing home is not able to take care of their personal matters that this legally liable relative be notified of the potential financial problems of the facility.

We have lots of people in our nursing homes who have Alzheimer's, some sort of dementia and these folks need to be taken care of properly.

I move adoption.

THE CHAIR:

Thank you, Senator.

The question is on adoption of the amendment.

Any further comments?

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

Just a question through you to the proponent of the amendment.

THE CHAIR:

Senator Prague.

SENATOR KISSEL:

Through you, does the amendment anticipate that the con -- I guess it's directed towards the

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conservator of the person, but would the conservator of the estate be notified as well if they were two different entities. Through you.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Mr. President. The amendment doesn't designate whether it's the conservator of the person or the conservator of the estate. It just says conservator and it also says, "Such person's legally liable relative, guardian or conservator." So somebody should be notified if the person in the nursing home is not able to fully understand what's happening.

THE CHAIR:

Thank you, Senator Prague.

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

Given the fact that the language of the amendment seems to be quite broad for purposes of creating legislative intent, would it be fair, through you, Mr. President, Senator Prague, to say that the nursing home should actually notify both a conservator of the

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person and conservator of the estate if they were distinct and different entities? And the reason I would suggest that we make that part of the legislative history is that the fact that this nursing home is in precarious financial shape would have an impact on both of those individuals' decision making processes. For example, for the person, they want to make sure that the continuity of care is provided to their charge, and for the individual that is the conservator of the estate they're -- they may want to start taking action to find out should I put grandma, grandpa, or whoever the charge is somewhere else and looking at it from a financial aspect. Through you, Mr. President.

THE CHAIR:

Thank you, Senator Kissel.

Senator Prague.

SENATOR PRAGUE:

Mr. President, I would accept that for legislative intent. I think that clearly defines, you know, the direction we're going in. And I thank Senator Kissel for his insight.

THE CHAIR:

Thank you, Senator Prague.

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Senator Kissel.

SENATOR KISSEL:

Thank you very much.

Thank you, Senator Prague.

THE CHAIR:

Any further discussion on the amendment? If not, all those in favor of the amendment please indicate by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nay.

The ayes have it. The amendment is adopted.

Senator Prague.

SENATOR PRAGUE:

Mr. President, if there's no further discussion or any objection, I would ask that this be placed on the consent calendar.

THE CHAIR:

Seeing no objection, this item will be placed on the consent calendar.

SENATOR PRAGUE:

Thank you.

THE CHAIR:

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Thank you, Senator.

So I don't have to be the chair.

THE CLERK:

Calendar page 18, Calendar Number 298, File 61,
House Bill 5250, AN ACT CONCERNING THE BOARD OF
PARDONS AND PAROLES, favorable report of the Committee
on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR MCDONALD:

Mr. President, I move acceptance of the joint
committee's favorable report and passage of the bill.

THE CHAIR:

Questions on passage.

Would you remark further?

SENATOR MCDONALD:

Thank you, Mr. President.

Mr. President, this bill would simply add two
additional members to the Board of Pardons and Paroles
and would require that the number of board members who
must serve exclusively on panels that grant pardons be
increased from five to seven. This bill comes to us
as a recommendation from the chairman of the Board of
Pardons and Paroles.

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THE CHAIR:

Thank you, Senator McDonald.

Any further remarks on the bill?

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

I stand in strong support of this proposal, and I wanted to chat on it very briefly. This was a matter that came before us at the recommendation of Chairman Robert Farr, chairman of the Board of Pardons and Paroles. Last year, it was one of those bills that in the final waning hours of the last day of last year's legislative session was not able to cross the finish line, but it is a completely appropriate measure.

These two additional members of the Board of Pardons and Paroles would be dedicated towards handling purely pardon's matters. Currently, the practice is to assign three individuals to those matters but that if one person is unavailable for the date of the hearing then other individuals have to be reassigned. What this will allow is to have -- have three individuals assigned to these pardons hearings with one person as a backup if one of the three underlying members can't attend.

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And this is part of the Board of Pardons and Paroles initiative to go from one of these pardons hearings per quarter to two pardons hearings per quarter, therefore, affording more individuals in the state of Connecticut an ability to obtain a pardon. And this is clearly part of the policy directing -- direction that we are trying to go as a state when it comes to issues regarding the continuum of corrections. And indeed for those individuals who have duly turned their lives around and would like to at least have a hearing on whether to be granted a pardon, should that pardon be granted, it will afford them a clean slate, an ability to go out and perhaps obtain a job much more easily and effectively.

And what we want to do is we want to have a thoughtful criminal justice system that allows and affords individuals, who have clearly turned their lives around a second chance, so that they can completely become productive citizens of our society.

It's a great prospect that we have. I believe that this bill, which was asked for by the Board of Pardons and Paroles, moves us in a very positive direction. I only wish that we were able to get it

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through the legislative process last year. But I'm happy to see that it's at the front end of the list for this year.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Kissel.

Will you remark further?

Senator McDonald.

SENATOR MCDONALD:

Thank you, Mr. President.

If there's no objection, might this be placed on the consent calendar?

THE CHAIR:

Seeing no objection, the item will be placed on the consent calendar.

THE CLERK:

Calendar page 19, Calendar Number 300, File Number 12, House Bill 5011, AN ACT EXTENDING THE EFFECTIVE DATE FOR CERTAIN INTERLOCAL RISK MANAGEMENT POOLS, favorable report of the Committee on Insurance and Planning and Development.

(Senator Coleman of the 2nd in the Chair.)

THE CHAIR:

Senator Guglielmo.

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SENATOR GUGLIELMO:

Thank you, Mr. President.

I don't know if this is the right time, but I need to recuse myself under Rule 15.

THE CHAIR:

The journal will so note.

SENATOR GUGLIELMO:

Okay. Thank you very much.

THE CHAIR:

Senator Crisco.

SENATOR CRISCO:

Thank you, Mr. President.

Mr. President, I move acceptance of the joint committee's favorable report and the passage of the bill.

THE CHAIR:

On acceptance and passage, will you remark further?

SENATOR CRISCO:

Yes, Mr. President.

Mr. President, this is -- and members of the circle, legislation that is extremely important to numerous towns in the state of Connecticut who belong to the Interlocal Risk Management Pool, otherwise

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known as MIRMA. The bill extends the effective dates of contingency reserve requirements of the fund delaying related costs of various municipal, local public agency members from 2010 to 2016. It also requires these pools, if their deficit is more than \$8 million on October 1, 2013, and annually thereafter to assess members to eliminate their deficit within three years.

As of February 15, 2010, the municipal MIRMA plan is comprised 60 members, and they had a deficit of approximately 9.6 million.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Caligiuri.

SENATOR CALIGIURI:

Thank you, Mr. President.

If I may, I have a question, through you to Senator Crisco.

THE CHAIR:

Please proceed.

SENATOR CALIGIURI:

Thank you, Mr. President.

For the sake of the record, through you, Mr.

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President, the concern that some have expressed with -- with the continuing extension of MIRMA being required to meet its various reserve requirements, is that at some point it may have a large claim for which it will not have enough reserves to actually pay out.

My question, through you to Senator Crisco, keeping in mind that I supported this in committee -- is what is Senator Crisco's view on the assurance and the confidence we should have that ultimately MIRMA would have the resources to pay out on claims notwithstanding the fact that we continue to extend out the dates by which it was required to meet certain financial requirements? Through you, Mr. President.

THE CHAIR:

Senator Crisco, if you care to respond.

SENATOR CRISCO:

Thank you, Mr. President.

Through you to Senator Caligiuri, I assume that since there are some number of towns that are involved, and comprising of 60 members that if there should be a crisis -- and this is one of the reasons why we're taking this action that they would all have to increase their assessment.

THE CHAIR:

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Senator Caligiuri.

SENATOR CALIGIURI:

Thank you, Mr. President.

I thank Senator Crisco for that response.

Through you, Mr. President, just a follow-up and to the point that Senator Crisco just made. Is that then the purpose of the language beginning at lines 110 through the end of the bill before us requiring an assessment to be made if there is a deficit up to a certain point beginning October 1, 2013? Is that the means by which we intend to force greater reserves to be posted if these deficits aren't made up faster than that? Through you, Mr. President.

THE CHAIR:

Senator Crisco.

SENATOR CRISCO:

Mr. President, through you to Senator Caligiuri, yes.

THE CHAIR:

Senator Caligiuri.

SENATOR CALIGIURI:

I thank you, Mr. President.

I thank Senator Crisco.

And I think that is a -- that is a good step

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forward in my judgment. It's a way of both continuing to give the underlying municipalities time to post the reserves that they need to ultimately protect the people they're trying to protect and yet I believe that the language that we've just discussed at the end of the bill puts in some finality on this and will give us all the comfort that over time and in the next few years, the resources will be there to ensure that claims will be satisfied and honored as made especially if larger claims are made. And for that reason, Mr. President, I will support the bill and would encourage others to do so.

Thank you Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further? Will you remark further? If not --

Senator Crisco.

SENATOR CRISCO:

Thank you, Mr. President. If there's no objection, I request that it be placed on the consent calendar.

THE CHAIR:

I believe that Senator Guglielmo had to recuse

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himself, therefore, we'll have to go to roll call.

SENATOR CRISCO:

I'm sorry. I'm sorry. I thank you, Mr. President, for reminding me that. No other comments, Mr. President.

THE CHAIR:

Thank you.

If there are no further remarks, the Chair will ask the Clerk to announce that there is a roll call vote in process in the Senate.

THE CLERK:

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

THE CHAIR:

The machine will be opened.

THE CLERK:

You're missing Prague.

THE CHAIR:

Will all Senators please check the board to make certain that your vote is properly recorded? If all Senators have voted, the machine will be locked. Will

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the Clerk please announce the tally.

THE CLERK:

Motion is on passage of House Bill 5011.

Total Number Voting	33
Those voting Yea	33
Those voting Nay	0
Those absent and not voting	3

THE CHAIR:

The bill is passed.

Will the Clerk please return to call the
calendar?

THE CLERK:

Calendar page 24, Calendar Number 340, File
Number 522, substitute for Senate Bill 175, AN ACT
ESTABLISHING CONNECTICUT COMPETITIVENESS COUNCIL,
favorable report of the Committee on Commerce and
Export and Government Administration and Elections.

THE CHAIR:

Senator LeBeau.

SENATOR LEBEAU:

Mr. President.

I move acceptance of the joint committee's
favorable report and passage of the bill.

THE CHAIR:

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Question before the chamber is the acceptance and passage.

Will you remark further?

SENATOR LEBEAU:

Very briefly, Mr. President. This bill establishes an 18-member council to recommend ways to promote the state's competitiveness and places it within the Department of Economic and Community Development for administrative purposes.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further on the bill? Will you remark further?

If not, Senator LeBeau.

SENATOR LEBEAU:

I would like to say a few more words, Mr. President, that I think this bill is a good bill. We don't hear a lot about our state's competitiveness or lack thereof. This gives an opportunity for us, for both the Legislature and the Governor, to get advice on that issue from a variety of professionals out in the field. And I think it's a good bill and ought to pass.

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Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Are there any further remarks? Any further remarks on the bill before us?

Senator LeBeau.

SENATOR LEBEAU:

If there's no objection, Mr. President, I'd like to move this bill to the consent calendar.

THE CHAIR:

Without objection, this bill is placed on the consent calendar.

Mr. Clerk.

THE CLERK:

Calendar page 27, Calendar Number 379, File Number 362, substitute for House Bill 5278, AN ACT CONCERNING SENIOR CENTERS AND THE FREEDOM OF INFORMATION ACT, favorable report of the Committee on Aging and Government Administration and Elections.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Thank you, Mr. President. I move the joint committee's favorable report and passage of the bill.

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THE CHAIR:

On acceptance and passage, will you remark further?

SENATOR PRAGUE:

Mr. President, you know, there are some unscrupulous people out there who prey on senior citizens. This bill will not allow anybody to get -- to go to senior centers or to call them and get the names, addresses and telephone numbers of the members of that senior center. They can't get those lists through the Freedom of Information. They just can't get those lists. This request actually came to us from a director of a senior center who has received many calls from God knows who trying to get the name of the members of the senior center.

This bill protects that. It's a good bill, and I move adoption.

THE CHAIR:

Thank you, Senator.

Are there any furth --

SENATOR PRAGUE:

I move passage -- excuse me.

THE CHAIR:

Thank you, Senator.

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SENATOR PRAGUE:

Thank you.

THE CHAIR:

Any further remarks?

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President. Great to see you up there this afternoon.

THE CHAIR:

Well thank you. Great to see you.

SENATOR KISSEL:

I stand in strong support of this particular bill. I was delighted to listen to all the testimony at our public hearing on the Select Committee on Aging. As a ranking member this year of that committee, it's been great to work with the co-chairs, Senator Prague and Representative Serra. And it brings me back to the early days of the mid 1990s when I was one of the founding members of the Select Committee on Aging. And I believe that we've made great work over the years to bring matters of importance regarding our seniors through legislative initiatives and to the attention of the people of the state of Connecticut.

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Indeed some folks -- I believe from Newington Senior Center -- brought to our attention that they were getting requests regarding information regarding their seniors and they felt concern regarding that. And I have to say that when this bill originally came before us on the Select Committee on Aging, I also was contacted by a fantastic woman, Ms. Susan Lather, who is the director of the Enfield Senior Center, as well. While they weren't getting any requests, clearly, the fact that this bill was raised alerted everybody, I believe throughout Connecticut, that this was an area that could be problematic.

Now I understand, at the public hearing, folks from the Freedom of Information Commission always having as their guiding star transparency, had concerns. And so for the purpose -- and I strongly support the bill -- but for the purpose of legislative history, at their request, I'm just going to ask some questions through you, Mr. President, to Senator Prague, just to make sure that we're very clear. And it's my belief that the way we need to go with this legislation is as broadly as possible, but I think some questions need to be answered on the record.

So if I might through you, Mr. President?

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THE CHAIR:

Please frame your question.

SENATOR KISSEL:

Through you, Mr. President, the first question is what is meant by the phrase "senior center program"?

Through you Mr. President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Mr. President, to Senator Kissel. Senator Kissel, you know a program at the senior center could be crafts, could be exercise programs. It could be cooking classes. It could be any type of activity at a senior center.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

And I would wholeheartedly agree with that. I think that the term "senior center program" as much as maybe the folks at the Freedom of Information Commission would like to have that narrowly drawn, I think because the intent of this legislation is to protect this information regarding names, addresses,

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phone numbers regarding our seniors that we should read this as broadly as possible. And so I believe that is the answer that I received from Senator Prague; that is the definition that I agree with. And so I think in terms of any senior center administrator, executive director or anything like that, they should be able to rely on this law going forward -- should it become law -- that they have a very wide ambit to protect this information from being sought out by folks trying to utilize the FOI laws.

My second question through you, Mr. President, is what is meant by the phrase, "member of a senior center" and, again, my guess would be that given the direction that this legislation is moving in, I would guess that that would be read as broadly as possible as well. But I would like to ask that question through you, Mr. President, to Senator Prague.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Thank you, Mr. President.

Through you to Senator Kissel. A member of the senior center is a senior who has signed up to become a member. Sometimes there's a minimal charge,

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sometimes there isn't. But the person who comes to the senior center and becomes a member signs up to become a member. They give their name, their address, their telephone number, and they are part of the group that belongs to the senior center. Sometimes the senior center can open their membership to people in other towns and they would also then sign up as a member.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

And I know, indeed, the senior center in Enfield has a lot of folks from surrounding communities that like to attend that. And I think that in terms of the protections afforded by this legislation, Senator Prague is absolutely correct that in terms of the protections afforded those folks for at least the purposes of this legislation would be considered members.

And so those are my two questions. They also had another question but I don't think that we need to go into it at this point in time. I thank Senator Prague for those answers in creating the legislative intent.

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Clearly, what we're trying to protect are the names, addresses, phone numbers and email addresses of folks that are members, participate in programs of our senior centers throughout the state of Connecticut. And I can see how this legislation is not a minute too soon in moving through our legislative body.

And let me -- let me sketch out two areas why. Earlier this afternoon one of the things that I spoke highly regarding the efforts of Chairman Prague and Chairman Serra was the notion that banks and financial institutions, if they are going to give advice to seniors, have got to have some kind of qualifications to hold themselves out to the public regarding that. That's number one.

But number two, if folks go out and they try to get these lists of names and phone numbers from senior centers, then they might call them on the phone and purport to be a financial advisor. They might get that list, that mailing list, and send them a letter purporting to be some kind of financial advisor or then they could send out an email. So one area where I think that we're nipping the problem in the bud, right off the bat, is we're saying that this pool of information cannot be so easily had by individuals who

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want to simply market to seniors. There's other more appropriate avenues to get that information using the Freedom of Information Act to try to target seniors through senior centers is inappropriate.

But I can also -- the second part is -- I can also envision a far more nefarious and dangerous thing that we are also stopping in its tracks. And, unfortunately, there are diabolical people out there that do very bad things. Imagine -- and we all pick up our local papers and we see, trip to New York City to go see something at the Radio City Music Hall, spend the day in Boston shopping. Usually, you read that in the paper a month in advance. And quite often those trips are sponsored by a senior center. Well, what if somebody got it in their head to try to get that list, using the Freedom of Information Act, from an unsuspecting senior center who might just say, Well, under the law I have to provide that information. And what if it was the intention of the person or persons seeking that information to break into the homes of people that are going on that trip or to prey on those folks some way knowing that they're out of town for that day?

I mean it sounds crazy but every day that I live,

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I read in the paper, I hear on the radio, I watch on television, I learn that there are people that will stoop to nothing to try to make a dollar. And they don't care who they step on to get there. I mean, let's face it, just in the last few weeks, we've read stories about how people have been stealing monuments from graveyards so that they cut them up and sell them to get money to buy drugs. I mean, there is no limit. There's no shame to what some people will stoop to.

So there's the sort of harassment thing that we're trying to stop, the people that are trying to put out their wares. You can get the information as to how to contact these folks in another way. But also, I think, we are protecting individuals who may -- with not even thinking about it -- sign up for a variety of programs at a senior center and not want to have to worry about what's going on back home. It doesn't have to be that isolated bus trip. It could be some sort of art class where you meet at a regular time at a regular place. Someone could use that information to try to take advantage of our seniors.

So I'm happy to be a co-sponsor of this legislation. I think it stops something before it turns into a huge problem. And I strongly support

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this legislation. And once again, I commend Senator Prague for moving this bill forward.

Thank you very much, Mr. President.

THE CHAIR:

Thank you, Senator Kissel.

Senator Doyle.

SENATOR DOYLE:

Thank you, Mr. President.

I'll just make a brief comment on this bill. I want to applaud the efforts of Senator Prague and Representative Serra and Senator Kissel as ranking member.

This bill, I believe, came about because of the Newington Senior Center. I would argue one of the premier senior centers in the state and its chairman, Diane Stone. They're from my district. And she has contacted me on a weekly basis finding you know -- asking me about the status of this bill. And I think this bill really is a good common sense bill that I'm glad, you know, both parties have agreed to support it because most of our communities do have active senior centers where our seniors go to relax and come together and enjoy themselves during the day. And I just think it's unfortunate that some, you know,

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maybe -- you know, nothing -- maybe no bad intent, but they don't deserve to be have their names FOI'd and then contacted by salesmen and the like.

So I think it's a wonderful bill. I applaud the Aging Committee for endorsing it, moving it along. I look forward to it becoming signed into law by the Governor in the near future.

Thank you very much, Mr. President.

THE CHAIR:

Thank you, Senator.

Are there further remarks?

If not, Senator Prague.

SENATOR PRAGUE:

Mr. President, I just want to thank the members of this chamber who have such sensitivity to the elderly population. I think it's commendable.

Anyhow, I don't see any further remarks and if there's no objection, could we place this on the consent calendar?

THE CHAIR:

Without objection, this item is placed on our consent calendar.

SENATOR PRAGUE:

Thank you.

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THE CHAIR:

Thank you, Senator.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, for a couple of change -- change markings for additions to the consent calendar.

THE CHAIR:

Please proceed, sir.

SENATOR LOONEY:

Thank you, Mr. President. On a bill that was passed temporarily back on calendar page 15, Calendar 233, Senate Bill 97, Mr. President, would move to place that item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

And also Mr. President, on calendar page 29, Calendar 396, Substitute Bill 147, move to place that item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

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Thank you, Mr. President.

THE CHAIR:

Please return to the call of the calendar.

THE CLERK:

Return to calendar page 28, Calendar Number 385, File Number 540, Substitute for Senate Bill 139, AN ACT CONCERNING INDEPENDENT MONITORING OF THE HUSKY PROGRAM, favorable report of the Committee on Human Services and Appropriations.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Thank you, Mr. President.

I move acceptance of the joint committee's favorable report and passage of the bill.

THE CHAIR:

Question is acceptance and passage.

Do you care to remark further?

SENATOR DOYLE:

Yes. Thank you, Mr. President.

This bill requires the DSS to contract with a nonprofit organization to independently monitor HUSKY A and HUSKY B programs. This has happened in the past. There is money in the budget for it. And the

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-- the outside eyes independently monitoring the HUSKY A and B program have found some good benefits for the state of Connecticut, some savings and the like.

And I think it's a good bill. And I ask the chamber and urge the chamber to support this piece of legislation.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Are there further remarks?

Senator Kane.

SENATOR KANE: ~

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

THE CHAIR:

Please proceed to frame your question.

SENATOR KANE:

Thank you, Mr. President. Through you, what is the cost of this independent monitoring of the program, through you?

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Through you, Mr. President. There's currently --

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in the current budget there's -- allocated in the budget \$218,317 annually. I'm not sure if that's -- that's what is budgeted whether it's more or less, whether OPM can negotiate a better price, it's possible, I assume. But it is in the budget. Through you, Mr. President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President. Through you, isn't this something -- I do remember this bill in committee and a number of us voted against it. Isn't there the ability through DSS to do this in-house and save that \$218,000?

Through you, Mr. President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Through you, Mr. President. Well, it's our -- it's the experience of the -- actually, the agency, that this outside eyes reviewing -- how the independent review has actually been very effective in cost saving in the long run. So it's always wise to have outside parties review the program HUSKY A and B.

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So while you're correct, it could be done from the inside, we think it's more, actually ultimately, cost effective to have third party eyes review it and look for means to save other money. Through you, Mr. President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

So I guess then the bill will spend \$218,000 on an independent contractor for potential savings, we think, but not necessarily savings. Through you, Mr. President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Through you, Mr. President. Well, first of all, you're -- I can't guarantee that there'll be a certain amount of savings, and I also as -- as we can't guarantee the price negotiated with the vendor could be less than the budgeted amount. So if good fiscal prudence is exhibited, maybe they could negotiate a lower price for the study. Through you, Mr. President.

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Senator Kane.

SENATOR KANE:

It -- well, see -- it -- I guess that you're -- you're leading to my point which is that we can't guarantee that we're going to get savings through this audit. We don't know the actual cost, what it'll be, and we can do this in house.

To me, in my mind, that's three reasons to not do this bill. So I thank the Senator for his answers but I would have to be in opposition to this bill.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator Harp.

SENATOR HARP:

Thank -- thank you very much.

I rise to support this bill. It's really important, I believe, that we have independent contracting to look at our HUSKY program. And one of the -- one of the values added is that we have with this independent contracting that has occurred over the years with this program is that we're able to look at, not just the Department of Social Services and the impact of HUSKY, but, as well, the overall impact on

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the public health. So that we're able to merge data from the Department of Public Health birth data with the data that comes from the HUSKY program and look at overall healthcare outcomes. And because of this merger of this type of data and providing these kinds of reports, we are able to actually improve the program.

We spend nearly \$800 million on this program. And one of the things that we need to be able to guarantee the people of this state is that we're actually getting value added from this program; that people are getting the services that we pay for. And what this monitoring has been able to do is to shine the light on programmatic problems that we've had and help us find ways to find solutions to those problems and address them so the people of this state will get what we're paying for. So I think that it's a small amount to pay to basically assure that a \$800 million program is actually doing what we think that it does.

So for that, sir, I would urge everyone to support this bill.

THE CHAIR:

Thank you, ma'am.

Senator Debicella.

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SENATOR DEBICELLA:

Thank you, Mr. President.

Mr. President, it's about time today that we had one that we could debate. Been a lot of consents today.

Mr. President, through you, I have questions to the proponent of the bill.

THE CHAIR:

You may frame your questions.

SENATOR DEBICELLA:

Thank you, Mr. President. Through you, in reading the OLR bill analysis on this, it says that the Hartford Foundation for Public Giving has received state monitoring grants for the last six years and has subcontracted with the organization, Voices for Children. Through you, Mr. President, why is this legislation necessary if the grants have been given for the last six years? Through you, Mr. President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Through you, Mr. President. There is some concern that it will not be continued in the future. Through you, Mr. President.

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THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. And through you, why would it not be continued? Through you.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

It's our understanding it may not be continued and because of the long-term savings described by Senator Harp, there is a desire to ensure these saving are achieved in the future. Through you, Mr. President.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Through you, Mr. President.

Thank you, Mr. President.

Through you, in looking at this the requirements of the bill is that -- again, according to OLR, is that the selected nonprofit must have experience that demon -- demonstrates its ability to independent mon -- independently monitor performance, collaborate with DSS's medical care administration division and report

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to DSS on enrollment trends, et cetera, et cetera.

Through you, Mr. President, how many nonprofits would actually be qualified to do this under this bill? Through you, Mr. President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Through you -- through you, Mr. President. I honestly don't know the answer to that but I would assume there is some sort of short or RFP process that's, you know, you define the terms of the study, then you go out to bid and you see who bids -- so. But I cert -- I honestly don't know the answer to who's qualified or not. Through you, Mr. President.

THE CHAIR:

Senator DeBicella.

SENATOR DEBICELLA:

Thank you, Mr. President. And I thank Senator Doyle for the answers to those questions.

Mr. President, I rise in opposition to this bill. There actually is a reason why this grant has been given out in the past and is now being stuffed by DSS. And the answer is that we are not getting the return on our investment from this outside monitoring. The

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fact of the matter is, Mr. President, is that the organization, Voices for Children, which has been consistently selected and quite honestly would most likely continue to be selected, is an advocacy group that advocates for more spending in the state government not less.

They're up here quite a bit, actually, testifying in front the committees as -- in terms of we do not spend enough money. So when Senator Harp says this is something that will help us save money and increase effectiveness by having this outside monitoring, I actually believe the outside monitoring simply results in an advocacy group getting money from the state to come advocate for more spending. I actually do not believe that this is a bill that will save us money. It is simply us contracting with an advocacy group to do something that we should be able to do in-house ourselves.

So, Mr. President, I stand in opposition to the bill and urge its rejection.

THE CHAIR:

Thank you.

Do you care to remark further?

Senator Handley.

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SENATOR HANDLEY:

Thank you, Mr. President. I rise in support of
this bill.

As Senator Harp pointed out, this is an enormously large operation that -- that -- and, generally, very successful operation that the HUSKY program provides for the children and some of the -- and some of their families. And it does seem to me entirely appropriate when we have such a large organization paid for, in part, by federal funds which require an independent analysis of some of the work. Rather than having, you know, the fox look after the chicken house, it's better to have the farmer checking on the chicken house. It is just not -- it's just not good business to have the same department that is managing a very large program also do the only analysis that would be available of how successful it is. I -- I certainly think this is the best way that we can make sure that a program that has been so successful and so helpful to our -- to our children and their families that this program continues to do the most effective work it can.

THE CHAIR:

Thank you, Senator.

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Are there further remarks? Are there any further remarks? If not, the Chair would ask the Clerk to announce that a roll call vote is in progress in the Senate and the machine will be opened.

THE CLERK:

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

THE CHAIR:

Senator Prague?

Would all Senators check the roll call board to make certain that your vote has been properly recorded? And if all Senators have voted, the machine will be locked. Would the Clerk please take a tally?

THE CLERK:

Motion is on passage of Senate Bill 139.

Total Number Voting	35
Those voting Yea	23
Those voting Nay	12
Those absent and not voting	1

THE CHAIR:

Bill is passed.

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Mr. Clerk.

THE CLERK:

Calendar Number 386, File Number 539, substitute for Senate Bill 441, AN ACT CONCERNING PARENTAL ENGAGEMENT IN SCHOOLS, favorable report of Committee on Education and Appropriations.

SENATOR LOONEY:

Mr. President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, if that item might be passed temporarily?

THE CHAIR:

Without objection, so ordered.

Mr. Clerk.

THE CLERK: ,

Calendar page 34, Matters Returned from Committee, Calendar Number 46, File Number 23, substitute for Senate Bill 68, AN ACT CONCERNING THE DEPARTMENT OF SOCIAL SERVICES RECOMMENDED CHANGES TO THE MEDICAL ASSISTANCE AND PHARMACY STATUTES, favorable report of Committee on Human Services and Government Administration and Elections.

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THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Thank you, Mr. President.

I move acceptance of the joint committee's favorable report and passage of the bill.

THE CHAIR:

The question before the chamber is acceptance and passage.

Do you care to remark further?

SENATOR DOYLE:

Yes, thank you, Mr. President.

This bill, the file copy increases by two the membership the Pharmaceutical and Therapeutics Committee which oversees DSS' preferred drug list and also it makes some changes to conform our laws to Public Act 0905 regarding the DSS enhanced federal funds.

Mr. President, in addition the Clerk has an amendment LCO 3446. Will the Clerk please call and I be allowed to summarize?

THE CHAIR:

Would the court please call LCO 3446 to be designated Senate "A"?

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THE CLERK:

LCO 3446 which has been designated Senate
Amendment Schedule "A" is offered by Senator Doyle of
the 9th District.

THE CHAIR:

Senator Doyle has requested leave to summarize.
Is there objection to summarization? Seeing none,
please proceed, Senator Doyle.

SENATOR DOYLE:

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

THE CHAIR:

Question before the chamber is adoption of Senate
"A."

Will you remark further?

SENATOR DOYLE:

Yes. Thank you, Mr. President. This bill simply
changes the percentage of -- of these funds that shall
be expended by D -- the DSS from 60 to 50 percent.
And it also makes another minor technical error.

I urge the chamber to adopt this amendment.

THE CHAIR:

Will you remark further regarding Senate "A"?
Will you remark further? If not, the Chair will try

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your minds regarding Senate "A." All those in favor of Senate "A," please indicate by saying aye.

SENATORS:

Ayes.

THE CHAIR:

All those opposed say nay. The ayes have it.

Senate "A" is adopted.

Do you care to remark further? Do you care to remark further on the bill as amended?

If not, Senator Doyle.

SENATOR DOYLE:

Thank you, Mr. President. Seeing no -- if there's no objection, I move the bill to the consent calendar.

THE CHAIR:

Without objection, this bill is placed on our consent calendar.

Mr. Clerk.

THE CLERK:

Calendar Number 50, File Number 20, substitute for Senate Bill 17, AN ACT CONCERNING HEALTHCARE PROVIDER RENTAL NETWORK CONTRACT ARRANGEMENTS, favorable report of the Committee on Insurance and Public Health.

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THE CHAIR:

Senator Crisco.

SENATOR CRISCO:

Thank you, Mr. President.

Mr. President, I move for acceptance of joint committee's favorable report and passage of the bill.

THE CHAIR:

On acceptance and passage, do you care to remark further?

SENATOR CRISCO: |

Yes, Mr. President.

The Clerk has an amendment, LCO-2448. I request that it be called, and I be given permission to summarize.

THE CHAIR:

Would the Clerk please call LCO 2448 to be designated Senate "A"?

THE CLERK:

LCO 2448 which has been designated Senate
Amendment Schedule "A" is offered by Senator Crisco of the 17th District.

THE CHAIR:

Senator Crisco.

SENATOR CRISCO:

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

THE CHAIR:

Question before the chamber is adoption of Senate "A."

Senator Crisco, do you care to remark?

SENATOR CRISCO:

Yes, Mr. President.

Mr. President, LCO 2448 adds the updating

THE CHAIR:

Before you begin, Senator Crisco.

The good senator has asked for permission to summarize the amendment. Is there objection to summarization? Seeing none, please proceed, Senator Crisco.

SENATOR CRISCO:

Thank you, Mr. President.

In summary, the amendment to LCO 2448 adds the update in every 90-day provision to cover an entity that subsequently sells, et cetera, to make compare -- to require for a contracting entity. And in summary of the summary that basically provides more transparency and opportunity for the network.

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Do you care to remark further? Do you care to remark further regarding Senate "A"? If not -- I'm sorry.

Senator Caligiuri.

SENATOR CALIGIURI:

Thank -- thank you, Mr. President. Through you, if I may, a question to Senator Crisco.

THE CHAIR:

Please frame your question.

SENATOR CALIGIURI:

Thank you, sir. And I apologize for not being able to answer this for myself at first. And Senator Crisco may not know the answer to this. But it's my understanding, as I looked at this that not every entity that leases a -- or rents a network is necessarily going to be a contracting entity. that discount providers, health providers, for example, may not be covered by this because they're not the sort of entities that pay claims. And I didn't have a chance to discuss this with Senator Crisco in advance of the bill being called but, for the sake of the record, by question through you, Mr. President is, does Senator Crisco know one way or the other whether, in fact, my understanding of that is correct?

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THE CHAIR:

Senator Crisco.

SENATOR CRISCO:

Mr. President, through you to Senator Caligiuri,
to my knowledge, yes, that is correct.

THE CHAIR:

Senator Caligiuri.

SENATOR CALIGIURI:

I thank you, Mr. President. And at the risk of
putting too fine a point on this, my understanding of
Senator Crisco's response is that there are entities
that would not be covered, such as discount providers,
because they are not paying claims and that that's in
essence what Senator Crisco has just said and I want
to clarify for the record that that's an accurate
understanding of his response. Through you, Mr.
President.

THE CHAIR:

Senator Crisco.

SENATOR CRISCO:

Thank you, Mr. President. Through you to Senator
Caligiuri, according to my information, that is
correct.

THE CHAIR:

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Senator Caligiuri.

SENATOR CALIGIURI:

Thank you, Mr. President. I thank Senator Crisco for that response, and I look forward to supporting the bill as I did in committee because, as Senator Crisco noted, once we adopt the amendment this bill will only add to transparency which, I believe, helps consumers at the end of the day.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further? Will you remark further regarding Senate "A"? If not, the Chair will try your minds on Senate Amendment Schedule "A."

All those in favor please indicate by saying aye.

SENATORS:

Aye.

THE CHAIR:

All those opposed say nay.

The ayes have it. Senate "A" is adopted.

Will you remark further on the bill as amended?

Will remark further on the bill as amended?

Senator Caligiuri.

SENATOR CALIGIURI:

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Mr. President, thank you.

It occurs to me that I asked the question that I asked as it related to the amendment. And I just wanted to be clear, for the record, that the exchange that I had with Senator Crisco would apply -- should he agree -- to the underlying bill and not just to the language that was the subject of the amendment on which we have just voted. It occurred to me because I asked the question on the amendment, I didn't want the record to be unclear as to what our colloquy related to. So my question, through you, Mr. President, to Senator Crisco, is just confirming that our exchange related to the underlying bill and not just to the amendment. Through you, Mr. President.

SENATOR CRISCO:

Thank you, Mr. President.

Through you to Senator Caligiuri, spoken as a very competent lawyer, yes.

THE CHAIR:

Thank you.

Senator Caligiuri.

SENATOR CALIGIURI:

Thank you, Mr. President.

Thank you, Senator Crisco.

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THE CHAIR:

Thank you, sir.

~~Will~~ Will you remark further on the bill as amended?

Do you care to remark further on the bill as amended?

If not, Senator Crisco.

SENATOR CRISCO:

Mr. President, if there's no objection, I request
that it be placed on the consent calendar.

THE CHAIR:

Without objection, this item may be placed on our
consent calendar.

Mr. Clerk:

THE CLERK:

Calendar Number 52, File Number 24, Senate Bill
Number 92, AN ACT CONCERNING PRESCRIPTION EYE DROPS,
favorable report of Committee on Insurance and
Appropriations.

THE CHAIR:

Senator Crisco.

SENATOR CRISCO:

Oh, thank you, Mr. President.

Mr. President, I move acceptance of the joint
committee's favorable report and passage of the bill.

THE CHAIR:

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The question before the chamber's consideration is acceptance and passage.

Will you remark further?

SENATOR CRISCO:

Yes, Mr. Prèзидент.

Mr. Prèзидент, in the past, unfortunately, the coverage for eye drops particularly for children was limited to only one prescription or one tiny bottle. And many times these children would take the bottle to school and either leave it with the nurse or in traveling back and forth to school would lose it or break it. This allows the insurance company to cover for two tiny bottles of drops so the patient can have one at school, if necessary, and one at home.

THE CHAIR:

Thank you, Senator.

Will you remark further on the bill before us?

Senator Caligiuri.

SENATOR CALIGIURI:

Thank you, Mr. President. On the bill, I rise reluctantly as I did in the committee to oppose the bill. Every one of these mandates are prevention measures as Senator Crisco and I often talk about them are well-intentioned. They do good things; they help

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people. But there is no question that they add to the cost even if in -- only in small ways to health insurance in Connecticut. And although I've been a supporter of additional mandates in prior years, given the current state of our economy, how difficult it has been for business to make ends meet, I believe that any incremental increase in costs imposed by us, however well-intentioned and however small because I don't suspect that this will be a particularly costly mandate is something that we ought to be avoiding.

And for that reason, Mr. President, I reluctantly will be voting against this bill.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further?

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

At the beginning of this session, there were many advocates here stating that the economy is priority number one. Jobs are number one. Whenever you pick up a newspaper or hear on the radio everybody's talking about creating jobs in the state of

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Connecticut.

And when we have the opportunity to go visit our chambers of commerce and speak to our small businesses in our district, we hear two things. One, the mandates being placed upon them by this General Assembly, and, second, the cost of those mandates.

One of the biggest drivers of mandates in the cost of doing business is one is labor but that's a necessary one that we must endure if we're going to have employees. And the second one is the cost of healthcare which is often beyond the control of the employer. As they look at their bottom line, they try to do what they can to offer healthcare to their employees. And oftentimes the employees will say and be required to, in the private sector, to increase the cost of their premium and co-pay to maintain that healthcare benefit.

But what happens here in the General Assembly is some constituent group or advocacy group will come forward and say, We'd like to see this; this is an important thing that we think -- it's a mandate but we think you ought to pass it in Hartford.

And then folks will come up and they'll testify in the public hearings and they make a really good

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case. And people say, Yes, we should pass that. But people don't realize that only about 50 percent of the residents in the state of Connecticut benefit by that mandate because the other 50 percent fall under the ERISA rules for the federal government. And we can't place the mandate upon them because they're generally self-insured or through the municipalities.

And because of that unfairness, Mr. President, I have an amendment. And I'd ask the Clerk to please call LCO number 3461, and I be allowed to summarize.

THE CHAIR:

The gentleman has requested that the Clerk call LCO 3461 to be designated Senate "A." Would the Clerk please call.

THE CLERK:

LCO 3461 which has been designated Senate Amendment Schedule "A" is offered by Senator Witkos of the 8th District.

THE CHAIR:

Senator Witkos, what's your pleasure?

SENATOR WITKOS:

Thank you, Mr. President.

I move adoption.

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The question before the chamber is the adoption of Senate "A." Do you care to remark further?

SENATOR WITKOS:

Thank you, Mr. President.

Ladies and gentlemen of the circle, what this amendment does is a very unique amendment. The amendment states that for every mandate that we pass on healthcare and that the University of Connecticut Center for Public Health and Health Policy in consultation with the Insurance Commissioner sees that there's an increase in cost to a premium, then we, as members of the General Assembly, shall take a pay reduction equal to the amount of that premium cost. It's very easy to sit here and vote yes on mandates until you have to pay for it. Well, this is a means for us to pay for it. I ask the chamber's support.

Thank you, Mr. President.

THE CHAIR:

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

Senator Caligiuri.

SENATOR CALIGIURI:

Thank you, Mr. President. Briefly in support of the amendment, you know one of the things that I

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encounter out there and I suspect each and every one of us encounters this with our own constituencies is a very significant and growing frustration that people have that somehow we, in the Legislature, whether it's in Congress or in the General Assembly, sometimes we appear, at least, to be treated differently than everybody else. And I think part of the wisdom of this amendment that Senator Witkos has introduced is that it helps make sure that when we're out there talking to our constituents, they understand that we have skin in the game ourselves as it relates to the laws that we pass and in particular these mandates.

And for that reason, I thank Senator Witkos for introducing it, and I intend to support it.

THE CHAIR:

Thank you, Senator.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Speaking in opposition to the amendment, one of the things to keep in mind is that the General Assembly has -- members of the General Assembly have not had a raise in more than eight years. So we've certainly have had skin in the game and -- declining

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benefits in terms of the cost of living over that period of years. Appreciate the intent of the amendment demonstrating sympathy in these difficult economic times, but I would urge rejection and would ask for roll call vote on the amendment.

THE CHAIR:

The gentleman has requested a roll call vote. At the time that the vote is taken, it will be taken by roll.

Will you remark further?

Senator DeBicella.

SENATOR DEBICELLA:

Thank you, Mr. President.

Mr. President, rising in support of this amendment, you know, if we were actually to put a dollar figure on Senator Witkos' amendment, each and every one of our salaries would be hundreds of dollars less per year than what it is right now. Let's think about that for a second. That this circle has added hundreds of dollars in healthcare costs to the people of Connecticut through mandates just like the one in this underlying bill.

And what Senator Witkos' amendment is go -- says is that maybe we'll think twice about actually

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applying these increased costs on the people of the state of Connecticut if we, ourselves, in the circle have to bear this. And I don't think anybody in this circle is here for the money. I think that we're all here out of dedication for public service. But actually making all of us more accountable through Senator Witkos' amendment is something that will make us very, very careful to actually apply these increase costs on the people of the state of Connecticut.

It is a very innovative one. It's something that I hadn't of thought of. And I applaud Senator Witkos for actually tying the increased costs we put on the healthcare of the people of the state of Connecticut with our own salary. I stand in support of the amendment.

THE CHAIR:

Thank you, Senator.

Senator Crisco.

SENATOR CRISCO:

Thank you, Mr. President.

I greatly appreciate the well intention of my colleagues from the other side of the aisle, and we always try to work with everyone but, you know, many times we have to look at a situation where the glass

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is half full or half empty. Time and time again, we hear about the costs to the insurance companies. We don't hear about the \$3.4 billion of that income for a partic -- let's say, Company A in 2009 or \$2.5 billion that income for Company B in 2009. We always hear about the costs. We never hear about the savings.

Mr. President and members of the circle, it doesn't take a rocket scientist to conclude that PSA testing, cervical cancer testing, testing for diabetes, for making sure that children receive their eye drops so their eyes don't degenerate into a worsened condition that will cost thousands and thousands of dollars more for just one second little bottle of eye drops. I think that's what we have to take into consideration is the whole story and not just the negative part.

And for those reasons, Mr. President, I oppose this amendment.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

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I rise in support of the amendment. Want to compliment Senator Witkos for bringing to our attention the real implications of some of the mandates we pass.

But I want to address Senator Crisco because he said something that I think is right but also misses the point. We're not here talking about the billions that insurance companies make because nothing in the underlying bill prevents them from still making those billions. They will pass the cost of this mandate on to everybody who has a policy. So if we can pass a mandate that requires the insurance companies to give them something and prohibits them from passing the charge onto all of the people with their policies, I stand in support, but we don't do that.

The cost of this is being passed on to the people who we've heard can't afford healthcare already. So that's why this amendment works. It says we're not going to pass that cost on, and it also says that we, in government, are going to understand the implications of what we do to you.

Earlier today in our caucus room we were having a discussion about the Hatch Act and somebody said, Well you can't do that; it's prohibited from the Hatch Act.

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And the answer was, Oh, no, no. Congress has exempted themselves from the Hatch Act.

People hate that, Mr. President. And we have not gone down that road as much as Congress has. We have tried to apply the laws of our state to those of us in government as we should. This is a perfect example that we can say to the people of the state of Connecticut, There is a mandate we think will help children in our schools, but we're not going to pass that cost onto everybody. We're going to bear some of the burden, as legislators of that cost, to show you we can put our money where our mouth is.

It's not about the money of this. It's about the statement. And, again, with all due respect to Senator Crisco, and I don't disagree on the point, they make billions of dollars but they're going to pass this on to their consumers. And it's not going to affect their bottom line at all.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Crisco.

SENATOR CRISCO:

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Thank you, Mr. President.

For the second time, we had a bill previously that this circle took action on, I believe we put it on the consent calendar in regards to legislation that this circle initiated pertaining to cost benefit analysis of every prevention that we adopt. And this, if passed and signed by the Governor, this so will be analyzed and it'll determined that there is a cost benefit analysis completed.

The only understanding that I request is that it doesn't always cost money. There may be a great benefit to this. Now whether that's passed down to the consumers or not, I accept there may not be, but we are analyzing everything we do in regards to this area to determine costs and also determine savings. And I just feel very strongly, Mr. President and members of the circle, I respect everyone's opinion that we sometimes are shortsighted and we don't look at the potential savings on the legislation that we adopt.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Are there further comments?

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Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President, for the second time.

And I think that Senator Crisco has it right that if there is a savings, we should realize that. And this amendment speaks to that because there's not a reduction in the members' salary, if there's a savings. There's only a reduction, if there's a cost.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Further comments? Are there further comments?

If not, the item before the chamber is Senate Amendment Schedule "A." I believe a roll call vote was requested on Senate "A." If there are no further remarks to be made, the Chair would ask the Clerk to announce that a roll call vote is in progress in the Senate, and the machine will be open.

THE CLERK:

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

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THE CHAIR:

Senator Hartley? Senator Maynard? Senator
McDonald? Senator Daily?

Senator McDonald?

Will Senators please check the roll call board to
make certain that your votes are properly recorded.

If all members have voted and if all votes are
properly recorded, the machine will be locked.

Would the Clerk please take a tally.

THE CLERK:

Motion is on adoption of Senate Amendment
Schedule "A."

Total Number Voting	34
Those voting Yea	12
Those voting Nay	22
Those absent and not voting	2

THE CHAIR:

Senate "A" is rejected.

Will you remark further? Will you remark

fur --

Senator Boucher.

SENATOR BOUCHER:

Mr. President.

Mr. President, I rise to oppose this bill not

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because I really want to but because I think we need to. We have to. This has been several years of -- of putting forward very well-intentioned mandates on our insurance carriers on policies that should be competitively bid out into our school systems, our municipalities, our hospitals, our small businesses, our large businesses. And over the years there seems to be a snowball effect, a cumulative effect that I am concerned that make us much more costly to live in, to do business here that have added to our property taxes increasing just as many of us have served on local boards whether it's been on a board of education or selectmen. And we've seen our insurance premiums rise precipitously over that period of time many pointing to that particular healthcare company or insurance carrier but, yet, that somehow that they're responsible for all of this when, in fact, it is a competitive marketplace and I think puts us at a disadvantage.

So I have a question through you, Mr. President, to ask the proponent, have they been keeping track of the numbers of bills that have been added and have added to the numbers of mandates on those insurance plans that must be provided here in Connecticut. Do

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we know this -- with this additional mandate, what number are we up to here in Connecticut? Through you, Mr. President.

THE CHAIR:

Senator Crisco, I believe the question is directed to you. Do you care to respond?

SENATOR CRISCO:

Yes, through you to Senator Boucher, Mr. President.

Mr. President, to Senator Boucher, no, we're not keeping count. As I mention early, we do have a cost-benefit analysis. Legislation that we've adopted by the circle, I think almost unanimously, in place and -- all I can say, Mr. President, through you to Senator Boucher, is when a person's life, such as the legislature we did on breast cancer in early diagnosis through ultrasound testing to make sure it's compensated for, I don't believe -- I can't consciously place a number on that that I look more to what is the benefit to the company, what is the benefit to the individual, and, Mr. President, in regards to this issue and to Senator Boucher is that sometimes there's a moral and business obligation that is not fulfilled to society.

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Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator Boucher.

SENATOR BOUCHER:

Mr. President, I thank the good senator for his answer. I had heard, anecdotally, that we were somewhere in the 50 and then 60 and then even 70 number of mandates in the last couple of years which does not compare favorably to many other states even within the Northeast, and, yes, there are those mandates that almost everyone can agree to, a couple of those just mentioned, and we may be comparable to some of our states. However, I think Connecticut has gone beyond that test of reasonableness. And the concern is that many bills have been proposed here in the House and Senate that would have allowed plans to be provided and offered to individuals and companies that would have allowed for those to choose what level of coverage they would want, more or less, and having a baseline, whether it's no drive-through mastectomies or 24-hour births, and so on, that almost every one of us could agree to. But we have also added those other things whether it's training for certain procedures,

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whether it's wigs for certain procedures, things that don't necessarily pass the critical stage or test necessarily, and that is my concern, that -- that a case can be built individually for this, but when added together it does put our individuals, businesses and communities in a -- in a difficult bind, particularly this year when costs are high, budgets are very low, and the economy is still in tremendous distress.

And I applaud my distinguished colleague, Senator Witkos, for proposing an idea that would actually -- bring this whole issue to light and would cause us to really access the true cost that would be en -- engaged through this process. So I do appreciate the response by my good colleague. I know that these proposals are very well-intentioned. They are compassionate for sure, but I think that from a common sense test, a reasonable test, they just don't pass muster any longer. And -- and it only begs the question of what will be next in our next session with regards to these issues, particularly as medicine changes on a regular basis, and new techniques and procedures are there. I don't know that we should be in the business of making those decisions here in this

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body.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President, a question through you to the proponent of the bill.

THE CHAIR:

Please frame your question.

SENATOR KISSEL:

Thank you very much. I'm just wondering if the fiscal note for this bill indicates if it's a municipal mandate, an unfunded municipal mandate.

THE CHAIR:

Senator Crisco, if you care to respond.

SENATOR CRISO:

Mr. President, through you to Senator Kissel, according to my understanding, there's no municipal impact according to the fiscal note.

THE CHAIR:

Senator Crisco -- I mean, Senator Kissel, sorry.

SENATOR KISSEL:

Thank you very much. I'm concerned because my

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notes on the bill indicate that it has that potentiality. What we're talking about is making sure insurers who cover prescription eye drops must cover additional bottles when requested by the insured or doctor for use in daycares or school settings. And so is it the municipality that pays for those eye drops? Through you, Mr. President.

THE CHAIR:

Senator Crisco.

SENATOR CRISCO:

Mr. President, with deep pol -- apologies to Senator Kissel, I was reading the fiscal note from the amendment and not -- and not from the legislation.

THE CHAIR:

Senator Kissel.

SENATOR CRISCO:

And the amendment stated that's why it was referred to the Appropriations Committee that there is a cost, but it's not specified, and there could be a potential cost in out years.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much.

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So we have a fiscal note that indicates that there is some cost to municipalities and we don't know how much that is, and that is significant enough such that the leadership of this chamber referred the bill to the Appropriations Committee. I cannot tell -- and I have no further questions for Senator Crisco -- but as innocuous as the bill appears on its face, and let's face it, who would really want to begrudge a young person an additional set of eye drops if they're in a daycare or in a school? But the real question comes down to who is going to foot the bill. And even setting aside punishing a small business, i.e., the daycare, which they are struggling to make ends meet, let's carve out the school system. I cannot tell my friends and colleagues here in this circle how many times over the last several years I have gone to my municipalities, Enfield, Somers, Suffield, Windsor, Windsor Locks, East Granby and Granby, and they have told me with a singular voice, If you cannot roll back any of the unfunded municipal mandates on our backs, can you at least promise us you won't vote for any more? And what we have before us is an unfunded municipal mandate. They come in large packages and small packages. Typically, they're something that in

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there that tugs at our heart strings, something that makes us want to vote for them, but there's that little angel on my shoulder that says, No, don't do that, because you promised your mayors. You promised your boards of selectmen. You promised your boards of finance. You promised your school board that if you can't at least push back on the ones that are on the books, don't give us any more.

And so I understand the laudable purposes of the -- the legislation. I appreciate the responses that's -- that my friend and colleague, Senator Crisco, has offered to all of us, but as much as there's a part of me that would like to vote for this, there is no concomitant revenue stream attached to this. We are simply passing on another unfunded mandate onto our towns. They're going to have to raise property taxes or cut programs to fill this gap. And believe me, I am at a point now with my towns in north central Connecticut where they are really wondering out loud when I chat with them what if we just don't do these things. Is the Attorney General going to sue us? Because we can't raise taxes. Our constituency won't support that. We're having a hard enough time to provide quality education to our children. We are

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cutting town services in our town halls to make up that difference. They feel really between a rock and a hard place.

And so for that reason, Mr. President, I'm going to have to vote no this afternoon on this bill.

Thank you, sir.

THE CHAIR:

Thank you, Senator.

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President. I rise to oppose this measure. Reluctantly, I'm sure that the committee and the leadership worked hard in identifying things that need attention. Unfortunately, I -- I have to say that I've been trying to advocate throughout this legislative session on behalf of the municipalities in my district that we can ill afford any unfunded mandates.

I agree with Senator Kissel and his comments that we have to draw the line. And so I've drawn the line in this legislative session. I've encouraged my colleagues to do the same, and this is one of those issues where the fiscal note clearly states there may be increased costs to municipalities for health

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insurance. And so for the -- for this period of time in this financial crisis that governments are facing on a local, state and federal level, this is not the right time to add costs. So I will vote against this measure.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Are there further comments? Are there further comments?

Senator Crisco.

SENATOR CRISCO:

Thank you, Mr. President. And I respect the -- the input from all our colleagues in the circle. And, you know, it's a situation where nobody is incorrect, but I -- I would just like to quote from a Dr. Emmel, an ophthalmologist who testified before us. He stated that many young patients require eye drops for sight-seeing threatening conditions, like corneal infections or uveitis, which is an inflammation of the inside of the eye which can lead to glaucoma, cataract and permanent vision loss. To retreat -- to treat these conditions it requires many job -- drops spread throughout the day. Since they spend a significant

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time -- amount of time from their home, the job -- the drops must be administered at school, as well as at home. And the point I'm trying to make -- and I accept the fact -- it may cost a little now, but if we don't pursue this -- this action, it's going to cost a lot more later on, not only to municipalities, but also to individuals.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Are there further comments? Are there further comments? If not, the Chair would ask that the Clerk make an announcement that a roll call vote is in progress 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 is open. Senators may cast their vote.

Would all Senators please check the roll call

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board to make certain that your vote has been properly recorded. If all Senators have voted and if all votes are properly recorded, the machine will be locked.

The Chair would ask the Clerk to take a tally.

THE CLERK:

Motion is on passage Senate Bill 92.

Total Number Voting	35
Those voting Yea	23
Those voting Nay	12
Those absent and not voting	1

THE CHAIR:

The bill has passed.

Are there any announcements or points of personal privilege?

Senator Frantz.

SENATOR FRANTZ:

Mr. President, thank you very much for a couple of minutes for a point of personal privilege.

We've all been looking at the State's economy, and we know how bad it is out there. We know that the state of Connecticut has lost well over 100,000 jobs, and, hopefully, we've hit the inflection point and we're on the way back.

There are a lot of efforts going on in the state

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that many of you all know in this circle all about and some that you might not know that much about and some that are in between. There are quasi-public agencies out there doing yeomen's work in the interest of trying to bring back the jobs that we've lost and has been doing this consistently and has saved many jobs in the process, and I'm talking, ladies and gentlemen Senators, about specifically the Connecticut Development Authority. These are people who work very, very hard at their task and are very successful. For example, in the case of the Connecticut Development Authority, they have saved or -- or created 140,000-plus jobs over the last 10 to 20 years.

And today we have the chairman of the Connecticut Development Authority visiting the chamber. So I'm going to give you just a little bit of background and then what I'd like you to do is welcome her as she stands and give her a round of applause, not only for coming up today and doing what she does, but doing it so well, because this is a very, very successful effort and one that is documentable and one that is worthy of our support in the years to come.

Laura Grondin, if you could stand, Laura, please,

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thank you. Laura Grondin is the president and CEO of Virginia Industries, and she's heavily involved, not only in her industry community and also the general business community, she sits on the Center for Family Businesses. She's on the State Street Global Advisors Board. She's the president of the Connecticut Women's Council, and she's a board member of the Greater Hartford Chamber of Commerce. This is in addition to a variety of other community pursuits that she devotes herself to. And, ladies and gentlemen, fellow Senators, she does a terrific job for the state of Connecticut. I'd like to ask you to give her a warm welcome here to the circle today.

Thank you for your fine work.

And thank you, Mr. President.

THE CHAIR:

Ms. Grondin, on behalf of the membership, I welcome you to the State Senate and thank you for your service.

Are there further announcements or points of personal privilege?

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

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Thank you once again for your yeoman service in the Chair this afternoon, Mr. President.

..And there was an item --

THE CHAIR:

That was very thoughtful of you, Senator. I appreciate it.

SENATOR LOONEY:

An experien -- an experience hand having presided in both chambers, a valuable asset for us, sir. And, Mr. President, an item that was previously place on a consent calendar, I would like to -- to remove, because it will need to be -- to be amended later on, and that is -- was on cal -- an item on calendar page 10, Calendar 127, Senate Bill 215, if that item might be removed from the consent calendar, it will need to be amended when it is offered separately.

Thank you, Mr. President. Also for some additional markings --

THE CHAIR:

Excuse me, Senator.

Without objection, Calendar 127 will be removed from the consent calendar.

SENATOR LOONEY:

Thank you, Mr. President.

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Mr. President, for three additional markings before calling for a vote, on the first consent calendar, on calendar page 38, Calendar 123, previously marked go should be marked PR.

Also calendar page 38, Calendar 129, Senate Bill 50, also should be marked PR, and calendar page 40, Calendar 154 and Senate Bill 344 should be marked PR today.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, if the clerk might now call the first consent calendar which I believe will be quite lengthy.

THE CHAIR:

Will the Clerk please comply with the Majority Leader's request.

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.

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Mr. President, those items placed on the first consent calendar begin on calendar page 1, Calendar 405, House Joint Resolution Number 94; Calendar 406, House Joint Resolution Number 95.

Calendar page 2, Calendar 407, House Joint Resolution 96; Calendar 408, House Joint Resolution Number 97; Calendar 409, House Joint Resolution Number 98; Calendar 410, House Joint Resolution Number 99; Calendar 411, House Joint Resolution Number 100.

Calendar page 3, Calendar 412, House Joint Resolution 101; Calendar 391, Senate Resolution 15.

Calendar page 4, Calendar 392, Senate Joint Resolution 43.

Calendar page 5, Calendar 47, Senate Bill 137; Calendar 55, Senate Bill 148; Calendar 56, substitute for Senate Bill 150.

Calendar page 6, Calendar 66, Senate Bill 281; Calendar 71, Senate Bill 65; Calendar 74, Senate Bill 132.

Calendar page 7, Calendar 87, Senate Bill 184; Calendar 90, Senate Bill 255.

Calendar page 8, Calendar 94, substitute for Senate Bill 133; Calendar 97, substitute for Senate Bill 310; Calendar 103, substitute for Senate Bill 43.

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Calendar page 9, Calendar 117, Senate Bill 232.

Calendar page 10, Calendar 119, substitute for
Senate Bill 261; Calendar 124, substitute for Senate
Bill 251.

Calendar page 11, Calendar 149, Senate Bill 244.

Calendar page 12, Calendar 161, substitute for
Senate Bill 258.

Calendar page 13, Calendar 180, substitute for
Senate Bill 152.

Calendar page 14, Calendar 216, substitute for
Senate Bill 256; Calendar 217, substitute for Senate
Bill 201; Calendar 222, substitute for Senate Bill
275.

Calendar page 15, Calendar Number 233, Senate
Bill Number 97.

Calendar Number -- page 16, Calendar 239, Senate
Bill 105.

Calendar page 17, Calendar 270, substitute for
Senate Bill 234.

Calendar page 18, Calendar 296, substitute for
House Bill 5138; Calendar 297, substitute for House
Bill 5219; Calendar 298, House Bill 5250.

Calendar page 19, Calendar 301, House Bill 5263;
Calendar 302, House Bill 5292; Calendar 303, House

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Bill 5265; Calendar 313, substitute for House Bill
5002.

Calendar page 20, Calendar 314, House Bill 5201.

Calendar page 24, Calendar 340, substitute for
Senate Bill 175.

Calendar page 25, Calendar 346, substitute for
Senate Bill 151; Calendar 350, Senate Bill 333;
Calendar 371, substitute for House Bill 5014.

Calendar page 26, Calendar 375, House Bill 5320.

Calendar page 27, Calendar 379, substitute for
House Bill 5278; Calendar 380, substitute for House
Bill 5452; Calendar 381, substitute for House Bill
5006; Calendar 382, House Bill 5157.

Calendar page 28, Calendar 384, substitute for
House Bill 5204.

Calendar page 29, Calendar 395, substitute for
Senate Bill 127; Calendar 396, Senate Bill 147.

Calendar page 30, Calendar 413, House Bill 5024;
Calendar 414, substitute for House Bill 5401.

Calendar page 31, Calendar 419, substitute for
House Bill 5303.

Calendar 32 -- page 32, Calendar Number 421,
substitute for House Bill 5388; and on calendar page
34, Calendar 46, substitute for Senate Bill 68;

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Calendar 50, substitute for Senate Bill 17.

Calendar page 35, Calendar 64, substitute for
Senate Bill 187.

Calendar page 37, Calendar 109, substitute for
Senate Bill 189.

Calendar page 39, Calendar Number 148, substitute
for Senate Bill 226.

Calendar page 40, Calendar 182, substitute for
Senate Bill 218.

Calendar page 41, Calendar 188, substitute for
Senate Bill 200.

Mr. President, that completes those items placed
on the consent calendar.

THE CHAIR:

All right. If the Clerk has made an announcement
that a roll call vote is in progress in the Senate on
the first consent calendar, the machine will be open.
Senators may cast their vote.

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.

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THE CHAIR:

Would all Senators please check the roll call board to make certain that your vote is properly recorded. If all Senators have voted and if all votes are properly recorded, the machine will be locked, and the Clerk may take a tally.

THE CLERK:

Motion is on adoption of Consent Calendar Number 1.

Total Number Voting	35
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

THE CHAIR:

Consent Calendar Number 1 is passed.

Are there any announcements or points of personal privilege? Are there any announcements or points of personal privilege?

Senator LeBeau.

SENATOR LEBEAU:

Thank you, Mr. President, for a -- for an announcement.

THE CHAIR:

Please proceed.

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SENATOR LEBEAU:

Thank you, Mr. President.

I would like to announcement that the Commerce Committee will be meeting tomorrow 15 minutes before -- before the start of the first session whether it's the House or the Senate to take up bills that have been referred to the Commerce Committee today.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator LeBeau.

Are there further announcements or points of personal privilege? Further announcements or points of personal privilege? Seeing none, Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, if we might return to the item that we had removed from the consent calendar and that was calendar page 10, Calendar 127, Senate Bill 215.

THE CHAIR:

The Chair would ask the Clerk to call Calendar 127, Senate Bill 215.

THE CLERK:

Return to calendar page 10, Calendar Number 127, File Number 164, substitute for Senate Bill 215, AN

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ACT CONCERNING VETERAN TUTION WAIVERS, favorable report of the Committees on Veterans Affairs and Higher Education.

The Clerk is in possession of the amendment.

THE CHAIR:

The Chair would recognize Senator Maynard.

SENATOR MAYNARD:

Yes, thank you, Mr. President. I thank the Chair for an indulgence here.

I'm afraid that I tried to wing it earlier without my bill folder in front of me, and I neglected to enter an amendment.

THE CHAIR:

Happens to the best of us, Senator.

SENATOR MAYNARD:

Thank you, sir. Mr. President, the Clerk is in possession of LCO Amendment Number 3239. I move the amendment and seek leave to summarize.

THE CHAIR:

The gentleman has requested LCO 3239. Would the Clerk please call that amendment and designate it Senate "A."

THE CLERK:

LCO 3239 which has been designated Senate

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Amendment Schedule "A." It is offered by Senator
Maynard of the 18th District.

... THE CHAIR:

LCO 3239 is before us. Senator Maynard, what is
your pleasure?

SENATOR MAYNARD:

Yes, thank you, Mr. President, to summarize the
first part of this amendment --

THE CHAIR:

Gentleman's requesting leave to summarize Senate
"A." Is there objections? Seeing none, you may
proceed, Senator Maynard.

SENATOR MAYNARD:

Thank you, sir. The first part of the amendment
removes a portion of the prohibition on the tuition
waiver where a service member is in training. It was
necessary to make a modest adjustment to this, Mr.
President, because National Guard members are -- in
general, most of their time is spent in training. And
we certainly didn't want to exclude National Guard
members or others who receive special training, such
as Navy SEALs or Special Forces from receiving the
tuition benefit. This ame -- this portion of the
amendment would correct that.

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The second portion of the amendment directs the Connecticut State University system and UCONN and the community colleges to review within 30 days of passage of the bill, a student's eligibility to receive the tuition waiver. So those two items were necessary, and I thank you, Mr. President, for the opportunity to amend this.

THE CHAIR:

Senator Maynard, I'm not sure that I heard a motion to adopt Senate "A."

SENATOR MAYNARD:

S. I apologize. I move adoption.

THE CHAIR:

There is a motion before the Senate to adopt Senate "A." Will you remark further? Will you remark further?

SENATOR MAYNARD:

Mr. President, if there's no objection -- will we vote on the bill -- the amendment first --

THE CHAIR:

We'll have to vote on the amendment first, yes.

SENATOR MAYNARD:

Thank you.

THE CHAIR:

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Any remarks to be made on Senate "A"? If not, the Chair will try the minds of the Senate. The question before the changer -- chamber is the adoption of Senate "A." All in favor of Senate "A" please indicate by saying aye.

SENATORS:

Aye.

THE CHAIR:

All those opposed to Senate "A" say nay.

The ayes have it. Senate "A" is adopted.

Do you care to remark further on the bill as amended?

SENATOR MAYNARD:

Yes, thank you, Mr. President --

THE CHAIR:

Senator Maynard.

SENATOR MAYNARD:

If there's no objection, I would move now to place this item on the Consent bill --

SENATOR LOONEY:

Mr. President, for appointment inquiry. Mr. President, please.

THE CHAIR:

Senator Looney.

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SENATOR LOONEY:

Yes, thank you, Mr. President. Just to inquire because the board did not reflect the amendment. I just wanted to make sure that it -- that it is, in fact, recorded as having been adopted.

THE CHAIR:

Would the chamber please stand at ease?

(At ease.)

THE CHAIR:

Senator Looney, staff has informed me that the machine was locked. The board did not reflect that Senate "A" was before us, but, in fact, according to the staff that the vote was properly recorded. And I believe the machine is reflecting our action on Senate "A" now.

SENATOR LOONEY:

Thank you, Mr. President, just wanted to clarify that for the record. Thank you.

THE CHAIR:

Thank you, Senator.

SENATOR MAYNARD:

Mr. President, I would ask if there's no objection that the item be placed on the consent calendar.

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THE CHAIR:

Is there objection? Is there objection to place
this item on our consent calendar? Seeing none, so
ordered.

SENATOR MAYNARD:

I thank you, Mr. President. And I thank the
members of the Senate for their indulgence. I won't
introduce a bill without my folder in the future.

Thank you very much.

THE CHAIR:

Thank you, Senator.

Mr. Clerk:

THE CLERK:

Returning to the calendar matters returned from
committee, calendar page 34, Calendar Number 60, file
number 42, Senate Bill 130, AN ACT CONCERNING
CANCELLED DOCTORS APPOINTMENTS, favorable report of
the Committee on General Law and Public Health.

THE CHAIR:

Senator Colapietro.

SENATOR COLAPIETRO:

Thank you, Mr. President. I move the joint
committee's favorable report and passage of the bill.

THE CHAIR:

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The question before the chamber then is acceptance and passage. Will you remark further?

SENATOR COLAPIETRO:

Thank you, Mr. President. This bill passed two committees unanimously. It passed last year and ran out of time in the House. So this simply says that if you're going to charge somebody for not showing up for an appointment for a doctor's visit, then you can't charge them unless you have it posted so it suggests that you post -- if you have a policy, you post it and you're safe.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark further?

Seeing none, Senator Colapietro.

SENATOR COLAPIETRO:

Thank you, Mr. President. If there's no further discussion, I would move this item to the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR COLAPIETRO:

Thank you, Mr. President.

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THE CHAIR:

Thank you, sir.

Mr. Clerk.

THE CLERK:

Calendar page 36, Calendar Number 85, File Number 82, substitute for Senate Bill 125, AN ACT CONCERNING DOGS AT STATE CAMPGROUNDS, favorable report of the Committee on Environment and Public Health.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Thank you, Mr. President.

Mr. President, I move acceptance of the joint committee's favorable report and passage of this bill.

THE CHAIR:

On acceptance and passage, do you care to remark further?

SENATOR MEYER:

Yes, thank you, Mr. President.

Colleagues, if you have a dog and you like to camp, this is a family value's bill. Okay. To many of us, our dog is part of our family. I'm a empty-nester with Patty Ann. We have -- we have a dog, that dog is very significant. And starting last

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summer as chair of the Environment Committee, I started to receive letters from people who use our state camps who were being prohibited by DEP from bringing their dog, and they said this is a real expense because we have to put our dog in a kennel, and we can't bring them toward -- to a state camp. And so we constructed a bill that's before you this afternoon that under DEP regulation would permit dogs at state camps.

Right now there are 14 state parks in Connecticut, and dogs are permitted at four. But in some of our favorite state parks, like Hammonasset State Park in my district, dogs are not permitted at the campsites there. This bill would permit DEP to allow up to -- dogs that up to 50 percent -- up to -- discretionary -- up to 50 percent of our state parks under certain conditions. And the conditions would relate to the obvious, and that is cleaning up after your dog, the dog being on a leash, and -- and those kind of things.

Now there are two amendments to this bill, and I'm going to ask, please, Mr. President, the Clerk is in possession of two amendments, and I'm going to ask that LCO 3830 be called as a first amendment, 3830 be

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called as a first amendment, please.

THE CHAIR:

Would the Clerk please call LCO 3830 to be designated Senate "A."

THE CLERK:

LCO 3830 which be designate Senate Amendment
Schedule "A." It's offered by Senator Meyer the 12th District, et al.

SENATOR MEYER:

Mr. President, I move the amendment and seek leave to -- to summarize.

THE CHAIR:

Question before the chamber is the adoption of Senate "A." The gentleman has requested leave to summarize the amendment. Is there objection to summarization? Seeing none, please proceed, Senator Meyer.

SENATOR MEYER:

Thank you, Mr. President.

Colleagues, the underlying bill before us has several conditions I mentioned, like having the dog on a leash, what number of dogs a family could bring. It also has a requirement that you bring proof of vaccination. Senator McKinney pointed out that most

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of our constituents would not know that, would arrive at a campsite with a dog without a certificate of vaccination. You're coming, for example, from Litchfield County to Hammonasset State Park, you're not going to be able to go back and pick up your -- a certificate of vaccination. And, indeed, if you're coming from another state to a -- one of our state parks, you're not going to be able to go back and pick up a certificate of vaccination. So what this amendment does is it strikes -- it strikes the requirement of -- of bringing proof of vaccination. And we -- we offer this amendment -- Senator McKinney offers the amendment -- with the understanding that our dogs in Connecticut are vaccinated, and we're not -- we don't believe that we're dealing with any safety problem there, but we're also conveniencing the camp person with a dog in the family who would not be bringing -- naturally bringing a certificate of vaccination with the family to the park.

So, Mr. President, I offer that amendment.

THE CHAIR:

Senate "A" is before the chamber. Will you remark further on Senate "A"?

Senator Prague.

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SENATOR PRAGUE:

Thank you, Mr. President. I'd like to ask, through you, a question to Senator Meyer.

THE CHAIR:

Please proceed, ma'am.

SENATOR PRAGUE:

Senator Meyer, you know, dogs also have to have rabies shots. Would that amendment affect in any way the fact that a dog has to have a rabies shot. I mean, if the dog bites somebody and doesn't have a rabies shot, person's in trouble.

SENATOR MEYER:

Yes, through you, Mr. President --

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

-- to Senator Prague. Senator Prague, our -- our dogs in Connecticut do have to have rabies vaccinations. And all this amendment does is it relieves the owner, the dog owner, from having to bring to the campsite the proof of a rabies vaccination. It removes it from doing that. It doesn't remove the other part of our law in Connecticut which is that our dogs do have to be

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regularly vaccinated. Indeed, we have a -- we have a law that they have to be vaccinated every three years, that continues. It just relieves the dog owner from having to bring that certificate of vaccination to the campsite.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Okay. Thank you, Mr. President. I just have one more comment.

THE CHAIR:

You have the floor, ma'am.

SENATOR PRAGUE:

You know, I'm a -- through you, Mr. President, as you know, like you, I'm a dog lover. My dog has this little tag, you know, that says he had a -- she had a rabies shot at such and such a time. I don't know. If you think there's enough protection in the bill, I respect your opinion, because, you know, you love dogs like I do. But I would not want another dog biting my dog if the dog hadn't had a rabies shot.

SENATOR MEYER:

I -- I think there is enough protection --

THE CHAIR:

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Senator Meyer.

SENATOR MEYER:

-- because I think that, through you, Mr. President, that the law in Connecticut is a good law with respect to us having to have rabies vaccinations. I -- we went to Bermuda last January and brought our dog on the airplane, and I found out at that point that we have a law with respect to vaccinating for rabies our dogs every -- at least every three years. So I believe this is a safe procedure, and I wouldn't be offering this amendment if I didn't think it was safe.

SENATOR PRAGUE:

Sen -- through you, thank you --

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Senator Meyer. Thank you.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Mr. President, I have nothing to add, and I offer the amendment.

THE CHAIR:

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Any further comments on the amendment? Any further comments on the amendment? If not, Senate "A" is before the chamber. The Chair will try your minds.

All in favor of Senate "A," please indicate by saying aye.

SENATORS:

Aye.

THE CHAIR:

All those opposed say nay.

The ayes have it. Senate "A" is adopted.

Will you care to remark further on the bill as amended?

SENATOR MEYER:

Yes, please, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

The Clerk is in possession of LCO Amendment -- LCO Number 3556, and could he please call it?

THE CHAIR:

Would the Clerk please call LCO 3556 --

SENATOR MEYER:

No, it's 3456.

THE CHAIR:

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I'm sorry. 3456 to be designated Senate B.

THE CLERK:

LCO 3456 which has been designated Senate
Amendment Schedule "B." It is offered by Senator
Meyer of the 12th District.

SENATOR MEYER:

Mr. President, I move the amendment --

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

And respectfully ask the right to summarize.

THE CHAIR:

Question before the chamber is the adoption of
Senate B.. Senator Meyer has requested leave to
summarize. Is there objection to summarization?
Seeing none, please proceed, Senator Meyer.

SENATOR MEYER:

Okay. This -- you remember that last year there
was a lot of concern about puppy mills and dogs being
brought -- puppies being brought into the state who
were sick and without any certificate of origin. The
General Assembly acted responsibly in that fashion,
and we passed a bill, Governor signed it, requiring
that dogs coming into the state have a certificate of

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origin and that that certificate of origin be posted
in our pet shops.

Unfortunately, we didn't draft the bill very well.
and we ended up by an interpretation that required the
pet shops to post certificate of origin in two places.
What this amendment does, very briefly, is it clears
that up and makes it clear that the certificate of
origin must be posted in the pet store but that it
only needs to be in one in one location where it
will be available to -- to the public coming into the
pet store to buy a puppy. So that -- that's what this
does. It's a very brief and more or less a technical
amendment.

THE CHAIR:

Thank you, Senator Meyer. Will you remark on
Senate B?

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President. Just if I may, a
question to the proponent of the amendment.

THE CHAIR:

Please frame your question.

SENATOR WITKOS:

Thank you, through you, Mr. President, does it

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differentiate as to which particular dog, say, dogs come in from various locations that whether they were breeders or groomers and they're going to be sold in a -- in a pet store that the consumer would know which dogs came from which location? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Yes, the current -- the law, Senator, through you, Mr. President, the law that we passed last year does require the location of where the dog came from.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you. So if they -- if I was to go into a pet store, I would be able to tell by -- if we pass this amendment, by looking at a poster board or however they're displaying it, that this dog in this cage came from this location; is that correct?

Through you, Mr. President.

SENATOR MEYER:

Through you, Mr. President --

THE CHAIR:

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Senator Meyer.

SENATOR MEYER:

Indeed it would. It would -- the posting that we're requiring is the name of the breeder from which the puppy came and the location of that breeder.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President. I thank the gentleman for his answers.

THE CHAIR:

Will you remark further on Senate B? Will you remark further on Senate B? If there are no further remarks, the Chair will try your minds. The item before the chamber is Senate Amendment Schedule "B."

All in favor please indicate by saying aye.

SENATORS:

Aye.

THE CHAIR:

All those opposed say nay.

The ayes have it. Senate "B" is adopted.

Will you remark further on the bill as amended?

Will you remark further on the bill as amended?

Senator Fasano.

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SENATOR FASANO:

Thank you, Mr. President. Mr. President, just a through -- a few questions for the proponent of the bill, through you, Mr. President.

THE CHAIR:

Please proceed, sir.

SENATOR FASANO:

Thank you, Mr. President.

Senator Meyer, currently, it is my understanding that DEP does regulate whether there are dogs at state parks. Is that an accurate statement? Through you, Mr. President. ☆

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Yeah, it does to some degree, but, obviously, if there's a -- there's been a restriction by DEP, I mentioned there are 14 state parks, and DEP permits dogs at only four.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President. So DEP has the authority to do it and for whatever reason in their

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determination, they've concluded that four parks out of the 14, in their view, would be amendable, to having dogs in some fashion on that property. Is that a fair statement? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, that's a fair statement, but you got to put it in the context of the bill that's on the table today that's before the Senate today, and that -- that bill is not a mandate on DEP. It permits DEP to increase the number of parks at which -- and campsites that dogs could attend up to 50 percent of the parks in -- in Connecticut.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

As a point of clarification on that is it -- is there something currently that limits DEP to only four out of the 14 in our statutes? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

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SENATOR MEYER:

Through you, Mr. President. There is no -- no mandate of that kind of which I'm aware.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

So the magic number 14, is that just a number that in DEP looking at the 14 locations, DEP came up with this four number based upon their analysis of whatever they looked at? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President. I could not find any rational basis after talking to DEP for -- for allowing dogs in only four of the 14 parks.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President. So, basically, if I may, in summarize and tell me where if I'm in error, I am in error that D -- that there are four state -- 14 state parks of which four DEP, who has that exclusive authority, has allowed dogs to enter these parks, but

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there is no restriction by DEP, as we sit here today,
for DEP not to be able to go beyond four. Through
you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Yes, through you, Mr. President. I -- I think
that's correct. I think they could do it if they
wanted to, and the purpose of this bill is to
encourage DEP to have a -- a greater family value
concept here that we're offering and urging them to
permit and up to 50 percent -- up to 50 percent of our
state parks.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President. Am I to read this
correctly that the bills re -- the bill requires DEP,
in consultation with commissioner, to adopt your
regulations to allow up to 50 percent. So if DEP
wanted to stay at four parks, for whatever reason, DEP
wanted to stay at four parks, would this require them
to add more parks. Through you, Mr. President.

SENATOR MEYER:

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It would not require --

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

-- them if -- it's a -- this bill intends to be a legislative indication -- a legislative intent, in effect, that we believe that -- that the families of Connecticut would like a greater use of dogs in parks. It is not a -- but it is not a mandate.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President. So, basically, DEP could say thank you very much, but we're still leaving it at four, and that wouldn't be in any violation with respect to this bill. Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President. That is correct.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Mr. President, I thank you, and I thank Senator

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Meyer for the answers he gave to the question that I -- that I posed.

Mr. President, I am a dog lover. I've had a dog forever and currently still have a dog. Much to my dismay, my daughter's in college and she got a dog, which hasn't helped, but anyway, Mr. President, even though my affinity for dogs goes way back, I just don't see the need for this legislation. DEP can do it. DEP wants to do it, they'll do it. If there's an outcry in some area somebody's, either senatorial district or representative district, DEP -- you bring it to DEP and find out why they're not allowing dogs in. What we're saying is you've only done it in four of the 14, so we're going to pass a bill to say you can do up to 50 percent which you have the authority to do now. We're not made -- mandating you to do 50 percent, so I'm not exactly sure what this does, if anything. We're still at the same point we were. I think we have thick enough Connecticut General Statutes, enough laws in the books. We don't need to put a law in the book that says whatever you're doing you can continue to do it, but we hope you'll do more than what you're doing which is what we're putting this law into hope that you'll do. So with that, Mr.

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President, I'm probably going to vote against this bill. Thank you.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark further? If not, the item before the chamber is Senate Bill 125, as amended, by Senate Amendment Schedules "A" and "B." if there are no further remarks, I would ask the Clerk to announce that a roll call vote is in progress 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 is open. Senators may cast their vote.

Senator Handley? Senator Harris?

Senator Harris?

Members, please check the board and make certain that your vote is properly recorded.

If all members have voted and if all votes are

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properly recorded, the machine will be locked. Will the Clerk please take a tally.

THE CHAIR:

Motion is on passage, Senate Bill 125 as amended by Senate Amendment Schedule "A" and "B."

Total Number Voting	34
Those voting Yea	32
Those voting Nay	2
Those absent and not voting	2

THE CHAIR:

Bill is amended as passed.

Chambers, please stand at ease.

(At ease.)

THE CHAIR:

Would the Senate please be in order. And will the Clerk please return to call the calendar.

THE CLERK:

Return to calendar page 37, Calendar Number 107, File Number 131, substitute for Senate Bill 320, AN ACT CONCERNING THE SELECTION OF TENANT COMMISSIONERS, favorable report in Committee on Housing and Planning and Development. The Clerk is in possession of the amendment.

THE CHAIR:

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The Chair recognizes Senator Gomes.

SENATOR GOMES:

Thank you, Mr. President. I move acceptance of the joint committee's favorable report and passage of the bill.

THE CHAIR:

On acceptance and passage, do you care to remark further?

SENATOR GOMES:

Yes, the Clerk has in his possession LCO 3822. If I could -- if he could call and I get a chance to summarize.

THE CHAIR:

Would the Clerk please call LCO 3822 and designate Senate "A."

THE CLERK:

LCO 3822 has been designated Senate Amendment Schedule "A." It's offered by Senator Gomes of the 23rd District.

THE CHAIR:

Senator Gomes has requested leave to summarize. Is there an objection? Seeing none, please proceed, Senator Gomes.

SENATOR GOMES:

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Thank you, Mr. President. All it says is it's an amendment in order to clarify who are the authorities within this bill to ascertain the elections.

THE CHAIR:

Thank you, Senator. Would you move adoption of the amendment?

SENATOR GOMES:

I move adoption of the amendment.

THE CHAIR:

All right. Are there further remarks on Senate "A"? Further remarks on Senate "A"?

Seeing none, the Chair will try your minds on Senate "A." All in favor of Senate Amendment Schedule "A," please indicate by say aye.

SENATORS:

Aye.

THE CHAIR:

All those opposed say nay.

The ayes have it. Senate "A" is adopted.

Will you care to remark further on the bill as amended?

SENATOR GOMES:

Thank you, Mr. President. This bill -- all this bill does is give tenants of a complex of any housing

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the right to elect tenant commissioners from the members of the tenant association that is in existence at the time. What it amounts to is that they have a commissioner that appoint in these housing authorities and rather than have housing authorities be appointed by what it amounts to is either selectmen or the mayors of the city, they would like to have at least one representative housing commissioner to be on the authority in order to voice their votes -- or their -- or their concerns.

THE CHAIR:

Thank you, Senator. Further remarks on Senate "A"? Are there further remarks on Senate "A"?

Senator McLachlan.

SENATOR MCLACHLAN:

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

THE CHAIR:

Oh, I'm sorry. Chair is corrected. Senate "A" has already been adopted, so remarks should be directed to the bill as amended.

Senator McLachlan, your question is on the bill as amended.

SENATOR MCLACHLAN:

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On the underlying bill, yes, thank you.

THE CHAIR:

All right. Please proceed, sir.

SENATOR MCLACHLAN:

Thank you, and through you, Mr. President, a question to Senator Gomes.

Just for clarification housing authorities require representation of tenant commissioners. And I'll use as an example the Housing Authority of the City of Danbury who has a tenant commissioner, one of five. That tenant commissioner is a resident of the housing authority property, but that tenant commissioner is appointed by the mayor or chief-elected official of the City of Danbury, does this bill change that process at all? Through you, Mr. President.

THE CHAIR:

Senator Gomes.

SENATOR GOMES:

Through you, Mr. President, to the -- Senator McLachlan, yes, it does.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

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Thank you, Mr. President. And thank you for that answer, Senator Gomes, but, for clarification, if I may. The existing process requires tenant representation. So, in other words, the chief-elected official appoints five commissioners in this case, four are from the private sector, and one is a tenant commissioner. So that the chief-elected official selects a willing tenant of the housing authority to serve as a commissioner. Are you suggesting that this bill will take away the appointment authority of the chief-elected official as long as it is a tenant commissioner? Through you, Mr. President.

THE CHAIR:

Senator Gomes.

SENATOR GOMES:

What was the question now?

THE CHAIR:

Senator McLachlan, do you care to repeat your question?

SENATOR MCLACHLAN:

Yeah, I'll be glad to. Thank you, Mr. President.

In the case of the requirement -- a current requirement as is required, as I understand under HUD rules, there must be a tenant commissioner member of a

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housing authority. If currently existing, the tenant commissioner is appointed by the chief-elected official, does this bill change that current process? Through you, Mr. President.

THE CHAIR:

Senator Gomes.

SENATOR GOMES:

Yes, it does. Let me explain if I could. The tenant -- the tenant commissioner that you're talking about that is appointed by the mayor or any elected official in a city, be it a selectmen or whatever, he has the say so as to what tenant he appoints as commissioner. The tenants' association want the right to pick their person to represent them as commissioner.

THE CHAIR:

Senator McLachlan.

SENATOR GOMES:

Therefore, that is why we are advocating or they are advocating to have an election of the commissioner from the tenants.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

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Thank you, Mr. President. Thank you, Senator Gomes, for your answer. I -- I think that the process that we have -- and I'll only speak for the Housing Authority of the City of Danbury -- is working very well in that we have an outreach effort by the chief-elected official to Housing Authority tenants to identify individuals who are interested in serving. And that -- that identification process actually comes through the tenant association. So it is a -- frankly, a volunteer process, and if I'm not mistaken the current tenant commissioner of the Housing Authority of City of Danbury came from the tenant association, if I'm not mistaken was the past president. So I -- I would not be supportive of compelling the chief-elected official to follow a specific process as long as the tenants are represented on the housing authority and the chief-elected official has that appointment authority I think that should remain. So, in this case, I think I'll have to decline to support this bill. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further on the bill as amended?

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Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. Chairman. I, too, rise in opposition to the bill. I've heard from one of the housing authorities in my district that they lack really the capacity to be election -- to be monitors of elections, to be certifiers of elections, and, quite frankly, I think it's healthy when there's a relationship between the chief elected official of a municipality and the housing authority. The appointment authority that they now hold enables that bridge to be built. Obviously, the chief-elected official is accountable to the community and to the tenants, and I've seen no reason that we should change from the system we have now. So I urge rejection of the bill. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Senator McKinney.

SENATOR MCKINNEY:

Mr. President, just to show that not all things divide along party lines, I rise in support of the measure before us. I understand that there may be some housing commissions that are concerned about

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holding these elections, but all of their bylaws account for an election process and it is something that they certainly know and are aware of and is in their bylaws, and they should be capable of handling this. And while I respect the right of mayor and first selectmen to make an appointment, they still have the overwhelming appointments here.

I think the right thing to do is that the tenant commissioner should be a tenant picked by the tenants. And I think that's the right way to do it, and I support the measure.

THE CHAIR:

Will you remark further?

SENATOR GOMES:

If I may elaborate on this situation.

THE CHAIR:

Senator Gomes.

SENATOR GOMES:

And thank you, thank -- through the -- through the president. The problem with the selection of -- of a tenant commissioner from the tenants is that I -- I understood that remarks that were made here that people come forth and willingly advocate to serve as tenant commissioners. But if you have three or four

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people come forth, then the mayor chooses them. That's not the choice of the tenants. They want their right to choose their own tenant commissioner, and they would like to do this through election. That's the only thing they are seeking.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark further? If not, the question before the chamber is the acceptance and passage of Senate Bill 320 as amended by Senate "A." If there are no further remarks to be contributed, the Chair would ask that the Clerk make an announcement that a roll call vote is in progress 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 is opened.

Senator Caligiuri? Senator Guglielmo?

Will all Senators please check the board to make

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certain that your vote is properly recorded. If all Senators have voted and if all Senators' votes are properly recorded, the machine will be locked, and the Clerk may take a tally.

THE CLERK:

Motion is on passage Senate Bill 320 as amended.

Total Number Voting	34
Those voting Yea	29
Those voting Nay	5
Those absent and not voting	2

THE CHAIR:

The bill as amended is passed.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. I believe the Clerk is in possession of Senate Agendas 2 and 3 for today's session.

THE CLERK:

Mr. President, the Clerk is in possession of Senate Agendas Number 2 and 3, dated Wednesday, April 21, 2010. Copies have been distributed.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

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Thank you, Mr. President. Mr. President, I move all items on Senate Agendas Numbers 2 and 3, dated Wednesday, April 21, 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.

SENATOR LOONEY:

Yes, thank you, Mr. President. Mr. President, on Senate Agenda Number 1, previously adopted, there is under -- under business from the House, introduction of House Joint Resolutions, House Joint Resolution Number 77, if the Clerk would -- would read that resolution.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calling from Senate Agenda Number 1, House Joint Resolution Number 77, RESOLUTION EXPRESSING SYMPATHY ON THE DEATH OF RENE DUGAS, SR., introduced by Senator Coutu, Representative Olson, and Senator Prague of the 19th District.

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RESOLUTION EXPRESSING SYMPATHY ON THE DEATH OF
RENE DUGAS, SR., resolved by this Assembly.

Whereas, on December 27, 2009, the State of Connecticut, in the Village of Taftville, lost a former state representative and lifelong resident with the passing of Rene Dugas, Sr., at the age of 100;

And whereas, he served as a member of the House of Representatives from 1947 to 1949 and from 1957 to 1959, proudly representing the City of Norwich;

Whereas, he enjoyed a lifelong career as a photographer, taking over his father's business in 1935 and serving as a photographer and darkroom technician during World War II at Columbia University's Underwater Sound Laboratory Division of War Research, earning a citation for the United State's Division of War Research for his work;

Whereas, he pursued his passion for history, writing two books, "The French Canadians in New England" in 1990, and "Taftville, Connecticut, and the Industrial Revolution" in 2001, and becoming the unofficial historian of the Village of Taftville;

And whereas, he was a graduate of Three Rivers Community College, earning an honorary doctorate from this school in 2005;

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And whereas, he was a lifelong member of the Knights of Columbus Ponemah Council 34;

Whereas, he was inducted into the American-French Genealogical Society's French-Canadian Hall of Fame in 2007;

And whereas, he leaves behind a loving son and daughter, two grandchildren and four great-grandchildren.

Now, therefore, be it resolved, that the Connecticut General Assembly expresses its sincere sympathy heartfelt condolences on the passing of one of its members, Rene Dugas, Sr., whose death is a great loss to the General Assembly, his family and friends, and the people of the Village of Taftville, City of Norwich and State of Connecticut.

Be it further resolved, that the Clerk of the House of Representatives cause a copy of this resolution to be presented to the family of Rene Dugas, Sr., as an expression of the high esteem in which he was held.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Thank you, Mr. President.

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Mr. President, I stand in respect of the memory of Rene Dugas. This is Rene Dugas, Sr. He was really a remarkable man and a very significant member of the community. To live to be 100 in itself is significant. What you do with your life adds to that significance, and this man accomplished a great deal. So I would ask this chamber to stand in a moment of silence in memory and in honor of Rene Dugas, Sr., who was a member of the House of Representatives. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Prague.

Would all members please rise to adopt the resolution by a moment of silence.

[Moment of silence.]

THE CHAIR:

Resolution is adopted.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, if the Clerk would return to the call of the calendar, I believe the next item is calendar page 38, Calendar 126.

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Senator Looney, the Clerk indicates the next item is on page 37.

SENATOR LOONEY:

Is that -- Mr. President --

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President, for an additional marking, calendar page -- Calendar Number 111 on page 37, I believe, Senate Bill 245 should be marked passed temporarily. And then if the Clerk would call Calendar 38, page 126.

THE CHAIR:

Mr. Clerk.

MR. CLERK:

Calendar page 38, Calendar Number 126, File Number 175, substitute for Senate Bill 353, AN ACT ADOPTING A FOSTER PARENT BILL OF RIGHTS, favorable reported committees on Human Services and Judiciary.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Thank you, Mr. President. I move acceptance of the committee's joint report -- joint favorable report

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and passage of the bill.

THE CHAIR:

Question before the chamber is acceptance and passage. Do you care to remark further?

SENATOR DOYLE:

Yes, Mr. President.

What this bill does is it creates a foster parent bill of rights for our law -- our licensed foster-care parents. Really, there's really nothing new to the language in a sense that a lot of these rights are already out there, but it's putting in one place for our foster parents and then, therefore, DCF can present a document or our parents can find a place where they have their rights. As many of us know, we have -- a major problem is attracting in foster parents for many of our children in DCF program. This is an area where we simply have it all one place for foster parents and may, who knows, help us achieve -- attract more foster parents, you know, through this bill of rights. And I urge the chamber to support this bill. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Doyle.

Will you remark further?

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Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

Mr. President, if I could, through you, a question or two to the proponent of the bill before us.

THE CHAIR:

You may frame your question.

SENATOR MCKINNEY:

Thank you, Mr. President. Mr. President, through you, Senator Doyle, I understand that the bill before us would allow a foster parent to petition the Superior Court for relief, in other words, go into court and seek relief against DCF for a violation of their rights. Through you, Mr. President, is monetary considerations a relief that could be sought by a foster parent?

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Through you, Mr. President. Can you hold -- can I have a minute just to quickly look at the language, Mr. President.

THE CHAIR:

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The chamber may stand at ease.

SENATOR DOYLE:

Thank you.

Mr. President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Thank you, yes. Well, the statute as written says, "the court may award appropriate relief," which it specifically referenced, "temporary and permanent injunctive relief." But that being said, I don't think it excludes the opportunity to may be demand monetary relief also. But I will point out, your Honor, that -- I mean, Mr. President, through you, that --

THE CHAIR:

You may call me your Majesty.

SENATOR DOYLE:

Mr. President, you've done a fine day -- fine job all afternoon, I will point out.

THE CHAIR:

Does an increase in compensation or any kind of bonus come with that?

SENATOR DOYLE:

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Unfortunately, recent amendments passed, your compensation will be reduced, but, we will proceed anyway.

No, this -- I think it's important because it gives the opportunity for one of our foster parents that is harmed the ability to go to court and present their problems. Now there's no guarantees, and the truth of the matter is, it would be expensive to go to court. And I've heard the arguments from some of the agency officials concerned about the magnitude of filings under this statute. I honestly think the cost involved would really be minimal to the court, through you, Mr. President.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you. Mr. President, just on that point before I might have other questions, the fiscal note indicates minimal fiscal costs. If foster parents can go in and sue for relief from DCF, if they could seek monetary relief, which is not limited in any way by this legislation, some judge in an effort to not just compensate a foster parent whose rights have been violated, which might not be a large amount of money,

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but to punish DCF for violation of someone's now rights as a foster parent, it's surprising to me that the fiscal note can say, "minimal cost." We have no idea what a Superior Court judge might do if a number of foster parents with, you know, important lawyers who probably will take it on a contingent fee basis so it won't cost the plaintiffs anything, go to court.

So I think it's very important for us to focus on we are giving foster parents the right to go to court and sue DCF if rights, which they don't have right now, are violated. Now, when I look at the rights, the bill of rights that are given to foster parents, a lot of them make a lot of sense to me. Notice of relative meetings, they should be getting that from DCF. Support services consistent with the child's permanency plan, well, now that's a problem. If we in this legislature decide to cut funding in DCF, which we may do, and there has been, or the Governor makes rescissions, D -- and those rescissions maybe are not specific, DCF could do some things that would be argued by a foster parent that would not give them support services consistent with the child's permanency plan. So now we've decided as a policy of this legislature to cut certain areas of DCF. If that

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hurts a foster parent's ability to meet a child's permanency plan, that foster parent can sue in court, and the court can order DCF to spend more money.

Well, guess what, now we're no longer the legislature with the right to control how much money we spend. We have some judge doing it. What frustrates me here -- and we had a bill earlier about reconnecting children with their parents and how many times they would visit their parents during a month for DCF, which I supported. DCF argued for more flexibility because they don't want a child to meet with their parents to reconnect. That's ridiculous. The problem we have here is we have a DCF that's not working.

Now I've said this before it may be impossible to work. They're dealing with some of the most horrendous and horrible and difficult issues you could deal with, whether to take away a parental rights. Kids who go from foster parent to foster parent. These are very difficult issues, and I respect Senator Doyle and others for trying to help with foster parents. It's amazing that people take on the task of being a foster parent because some of these kids have real issues. And -- and the foster parents who take

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it on are doing great work, but here we are giving them rights which allow them to go to court and sue and can undo everything we do with the DCF budget.

We're living under the Juan F. decree right now, which was someone who went to court and we had a court monitor. So let's fix DCF, not give foster parents rights to go sue where we have no idea what the implications of that lawsuit and those lawsuits are going to be. I also would argue, Mr. President, that lawyers would have a field day, especially a talented lawyer like yourself. Lawyers would have field day arguing to court what support services consistent with a child's permanency plan are. That is a pretty ambiguous statement. How do we know? Is there any legislative intent as to what that is? We know that there's a permanency plan that's worked out with DCF and the foster parents, but -- but do we really have a definition of what support services consistent with that plan is? I would argue that with all of the problems we have with DCF, with all of the problems many foster parents have had with DCF, we, by passing this, have just kick-started a lot of lawsuits. And where those lawsuits take us, we have no idea. And I think that would be great for the trial bar, but

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horrible for this legislature because we should be the ones setting the DCF budget, not some trial judge who believes some foster parent has been wronged and there haven't been services consistent with the child permanency plan, whatever that means, and they order DCF to spend more money.

Quite frankly, everything else in the bill of rights sounds pretty good. Yes, they should -- let me just repeat -- yes, they should have notice of meetings. Yes, there should be appropriate training of foster parents and DCF personnel dealing with foster parents. Yes, foster parents should get information on the child's medical -- can I stop right there. I don't even know if anyone's listening, but I'm sorry. We're -- we're going to pass a bill of rights that says DCF has to give foster parents information on the child's medical, educational and personal history. If DCF isn't doing that already, fire all of them. Fire all of them. Are you kidding me? We have foster parents that can't get information of DCF. So I understand the frustration that leads to this bill because I am too frustrated. But setting up a bill of rights which allows them to go to court to sue under ambiguous terms, I think is a mistake.

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So with all due respect, I think this is well-intentioned, but I cannot support such a new set of rights for a group of people, foster parents, where we have no idea where it's going to take us. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator McKinney. Will you remark further? Will you remark further? If not, the question before the chamber is acceptance and passage of Senate Bill 353. If there are no further remarks to be contributed --

Senator McKinney:

SENATOR MCKINNEY:

I'm sorry, Mr. President. For the second time and I realize -- I realize that the vote may not go my way, but the last piece to this, and, again, I do understand the intention of this, but we are also -- we are also telling pos -- foster parents they can sue in Superior Court for a violation of their rights if they haven't been given consideration and respect by DCF. So if their phone call is not returned in time, I would argue, they haven't been given consideration and respect. Are they going to sue? May -- maybe not. But we should be dealing with concrete terms

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that are obvious and everybody knows what they are and violations of them will be open and apparent to everybody, not these ambiguous terms, and I didn't -- I apologize for getting up the second time, but I didn't -- I didn't even get so far as to see the consideration respect line because everything before that was so ambiguous as well.

So I -- I would -- I would ask respectfully that maybe there's a chance that we could work on this with different language rather than this becoming law and ask my colleagues if they are not willing to reject it, perhaps we can PR it and work on it another time. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Further remarks? Further comments? If not, the question before the chamber is acceptance and passage of Senate Bill 353. If there are no further remarks, I'd ask the Clerk to announce that a roll call vote has been ordered in the Senate.

THE CLERK:

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

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the Senate. Will all Senators please return to the chamber.

THE CHAIR:

The machine is open.

Senators, please check the board to see that your vote is properly recorded. If all members have voted, the machine will be locked.

Mr. Clerk, please take a tally.

THE CLERK:

Motion is on passage of Senate Bill 353.

Total Number Voting	32	
Those voting Yea	22	
Those voting Nay	10	
Those absent and not voting	4	

THE CHAIR:

The bill has passed.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, if we might return to calendar page 36, Calendar 85, Senate Bill 125. I would move reconsideration of that item because I was on the prevailing side and -- in the vote.

THE CHAIR:

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The gentleman has been on the prevailing side moving reconsideration of Calendar 85, Senate Bill 125.

Is there objection? Seeing none, please proceed, Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President, may I inquire, is the bill now before us? If so, I would yield to Senator Meyer.

SENATOR MEYER:

Thank you. Thank you, Senator Looney. Mr. President --

THE CHAIR:

One moment, Senator Meyer.

SENATOR MEYER:

May I have permission to explain the reason we're -- we're withdrawing?

THE CHAIR:

In one moment, Senator Meyer.

The Chair would ask the Clerk to recall that item, Senate Bill 125.

THE CLERK:

Returning to calendar page 36, matter reconsidered Calendar Number 85, File Number 82,

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substitute for Senate Bill 125, AN ACT CONCERNING DOGS AT STATE CAMPGROUNDS, favorable report on Committee on Environment and Public Health. When the bill was before us last, it was passed, having adopted Senate Amendment Schedules "A" and Senate Amendment Schedule "B."

THE CHAIR:

Senator Meyer, do you accept Senator Looney's yield?

SENATOR MEYER:

I definitely accept it and ask for permission to explain.

THE CHAIR:

Please proceed, sir.

SENATOR MEYER:

Thank you, Mr. President.

Colleagues, Senate Amendment "B" related to the -- the posting of a sign in a pet shop. Remember I told you that we passed that last year. We made a mistake with respect to the posting, when, in fact, we're requiring posting of two signs. I had the -- but I had the wrong amendment there. So I'm -- I'm moving to withdraw Senate -- Senate "B" which was LCO 3556, and to substitute in its place the subsequent

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amendment 3713. And I'm asking permission to explain that.

THE CHAIR:

Senator Meyer, the Chair would suggest that you move reconsideration of Senate B. I have that as LCO 3456.

SENATOR MEYER:

Thank you, Mr. President. I move to re -- to reconsider Senate B, which was LCO 3556.

THE CHAIR:

Okay. Is there objection to reconsideration of Senate B? Is there objection? Seeing none, then LCO 3456 is currently before the chamber.

SENATOR MEYER:

Thank you, Mr. President, and I -- and I move that the Senate adopt -- oh, I'm sorry. I -- I move to withdraw Senate B, which was LCO 3556.

THE CHAIR:

The motion is to withdraw LCO 3456. Is there objection? Is there objection? Seeing none, so ordered.

SENATOR MEYER:

And, Mr. President, I now move to adopt a new Senate B, which would be LCO -- I'm sorry, it be

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Senate -- Senate C, which would be LCO 3713 with
permission to explain it. Could the Clerk please call

--

THE CHAIR:

Could the Clerk please call LCO 3713 to be
designated Senate C.

THE CLERK:

LCO 3713 which will be designated Senate
Amendment Schedule "C." It is offered by Senator
Meyer of the 12th District.

SENATOR MEYER:

And, Mr. President --

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

I request permission -- I move it and request
permission to explain it.

THE CHAIR:

The motion is the adoption of Senate C. Senator
Meyer has requested leave to summarize. Is there
objection to summarization? Seeing none, you may
proceed, Senator Meyer.

SENATOR MEYER:

Okay. Colleagues, you recall that this relates

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to a sign concerning this certificate of origin of puppies coming from other states. And we made a mistake last year by -- by requiring a sign be placed in two places in the pet shop. And this amendment makes it clear that we're only requiring one sign. And this particular amendment has -- has three words that were not in the prior amendment that's withdrawn. And those three words are that the sign must be, quote, visible to customers. So that -- that is the totality of the amendment that's being offered that the sign has to be visible to customers. That -- that's the amendment, and I offer it and urge your support.

THE CHAIR:

Thank you, Senator.

Will you remark further on Senate C? Will you remark further? If not, the Chair will try your minds. The item before the chamber is Senate Amendment Schedule "C."

All those in favor please indicate by saying aye.

SENATORS:

Aye.

THE CHAIR:

All those opposed say nay.

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The ayes have it. Senate "C" is adopted.

Will you remark further on the bill as amended?

Will you remark further on the bill as amended?

Senator Meyer.

SENATOR MEYER:

Yes, Mr. President. I believe that this bill is consentable, and if there's no objection, I ask that it be put on the consent calendar.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Mr. President, I don't believe this was unanimous before if I'm correct. Through you, Mr. President.

THE CHAIR:

I don't recall the outcome of the vote. I do know that we did have a roll call vote on it.

SENATOR DEBICELLA:

That's right. Thank you, Mr. President. No objection.

THE CHAIR:

The motion is to place this item on the consent calendar. Without objection, so ordered.

SENATOR MEYER:

I just want to quickly thank you all for -- for

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doing this. I don't think I've ever called the wrong amendment before. The -- the proper amendment did not turn out to be in the bill file. I was not conscientious enough about that. I apologize and thank you for your courtesies.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you. Thank you, Mr. President.

Mr. President, if the Clerk would -- would now call the second consent calendar.

THE CHAIR:

Would the Clerk please call the second consent calendar.

THE CLERK:

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

Mr. President, the items placed on the second consent calendar begin on calendar page 10, Calendar 127, substitute for Senate Bill 125.

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Calendar page 34, Calendar Number 60, Senate Bill 130.

And calendar page 36, Calendar 85, substitute for Senate Bill 125.

A correction, Mr. President, on the first item I -- on page 10, it's Calendar 127, substitute for Senate Bill 215.

That completes the items placed on the second consent calendar.

THE CHAIR:

Thank you, Mr. Clerk.

If members are prepared to vote, the machine will be open. The question before the chamber is adoption of the second consent calendar.

THE CLERK:

The Senate is now voting by roll call on the second consent calendar. Will all Senators please return to the chamber. The Senate is now voting by roll call on the second consent calendar. Will all Senators please return to the chamber.

THE CHAIR:

Members, please check the board to see that your vote is properly recorded. If all members have voted and all members' votes are properly recorded, the

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machine will be locked. The Clerk may take a tally.

THE CLERK:

Motion is on adoption Consent Calendar Number 2.

Total Number Voting	34
Those voting Yea	34
Those voting Nay	0
Those absent and not voting	2

THE CHAIR:

Consent Calendar Number 2 is adopted.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

We have one final item for reconsideration, also, Calendar 232, Senate Bill 296. I was in the prevailing side on that vote, and I would move to reconsider that item and that Senator Musto then be recognized for purposes of moving the item once again.

THE CHAIR:

Senator Looney has moved reconsideration. Is there objection? Is there objection? Without objection -- without objection, Calendar 232, Senate Bill 296 is before us.

Would the chamber please stand at ease.

[At ease.]

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THE CHAIR:

Senate may be in order. The item before us is
Calendar 232, Senate Bill 296.

THE CLERK:

Calling from calendar page 15, Calendar Number
232, File Number 346, substitute for Senate Bill 296,
AN ACT CONCERNING VISITATION BETWEEN A PARENT AND A
CHILD IN CASES INVOLVING DEPARTMENT OF CHILDREN AND
FAMILIES, favorable report on the Committee on
Children and Human Services.

THE CHAIR:

The Chair will recognize Senator Musto.

SENATOR MUSTO:

Thank you, Mr. President. As a matter of
procedure, I'm not sure if I need to move the bill or
not. Could you advise me on that.

THE CHAIR:

Yes, Senator.

SENATOR MUSTO:

I do? Okay. In that case, I move the joint
committee's recommendation and adoption of the bill.

THE CHAIR:

Question before the chamber is acceptance and
passage. You may remark further if you care to.

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SENATOR MUSTO:

Just that it's on reconsideration. I believe we can just proceed to a roll call vote unless there are other comments from other members of the chamber.

THE CHAIR:

Will you remark further? Will you remark further? If not, the Chair would ask the Clerk to announce that a roll call vote has been ordered in the Senate.

THE CLERK:

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

THE CHAIR:

The machine is opened.

Will all Senators please check the roll call board to make certain that your vote is properly recorded. If all Senators have voted and if all Senators' votes are properly recorded, the machine will be locked.

Would the Clerk please take a tally.

THE CLERK:

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Motion is on passage of Senate Bill 296.

Total Number Voting	33
Those voting Yea	33
Those voting Nay	0
Those absent and not voting	3

THE CHAIR:

The bill has passed.

Are there any announcements or points of personal privilege? Any announcements or points of personal privilege?

Senator Hartley.

SENATOR HARTLEY:

Thank you, Mr. Speaker.

For Journal notation, please, sir, I would just like the Journal to note that I may have missed votes earlier in the day due to a medical emergency out of state for a family member. Thank you, sir.

THE CHAIR:

Your welcome, ma'am. The Journal will so note.

And, Senator Gomes.

SENATOR GOMES:

Thank you, Mr. President. I just want to make an announcement. There'll be a Housing meeting at 11:30 in the morning at the hall of the House. Thank you.

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THE CHAIR:

Thank you, sir. Any further announcements or points of personal privilege? Further announcements or points of personal privilege?

If not, Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President, also for a Journal notation, Mr. President.

THE CHAIR:

Please proceed, sir.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, Senator Slossberg was absent from today's session due to the death of her father. The memorial service for her father will be tomorrow morning in Hamden. And I'm sure many of the members will be -- will be attending.

And, also, Mr. President, that will be conclude our business for today. Any items not voted on should be passed, retaining their place on the calendar. Would also move that -- that all bills referred to various committees today be immediately transmitted to those committees.

THE CHAIR:

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Before making that order, the Chair would also like to comment that he was out of the chamber on legislative business earlier today and missed a vote on Calendar 393, Senate Joint Resolution Number 44, and would like the Journal to reflect that had he had been present he would have voted in the affirmative.

And with that, Senator Looney, your motion was?

SENATOR LOONEY:

Yes, Mr. President. The motion was to transmit to all of the various committees bills referred today from the floor of the Senate.

THE CHAIR:

That's right. Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, it's our -- our intention to convene tomorrow at 1 p.m., and with that, Mr. President, I would move that the Senate stand adjourned subject to the call of the Chair.

THE CHAIR:

Motion is for the Senate to stand adjourned subject to the call of the Chair. Without objection, the Senate shall stand adjourned subject to the call of the Chair.

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On motion of Senator Looney of the 11th, the
Senate, at 6:11 p.m., adjourned subject to the call of
the Chair.

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THE CONNECTICUT GENERAL ASSEMBLY

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The Senate was called to order at 2:10 p.m.
Senator Duff of the 25th in the Chair.

THE CLERK:

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

THE CHAIR:

The Senate will come to order.

Senators, please rise and bring your attention
to Reverend David Baird for our prayer.

REVEREND DAVID BAIRD:

Good afternoon, everyone. Good to see you
again.

Dear God, Great Architect of all goodness on this
Earth, you are the one who has promised to lead us in
all truth, so we ask you this day to prepare our
hearts and our minds for the living of this day in
ways that will please Your great heart. Compel us to
be just and honest in all our dealings. Let our
motives be above reproach and suspicion. Let our word

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be our bound.

Save us from the fallacy of depending upon what is popular to avoid facing the real issues that might solve our problems. Give us the ability to set aside our own agendas, our preconceptions, and to truly listen to each other, even those with whom we profoundly disagree.

Help us to remember that we have all come here today with a united and single purpose, and that is to lead our state forward in these difficult and challenging times.

And so help us to work together for the common good of all. Since you have the answers to all the issues we will face in the coming hours, make us willing to listen to you that as we work on this legislation this day, we may work on God's side and that God's will be done in us and through us.

As we speak together, may our conversations be guided by Your wisdom of what is just and what is good and what is right for all of Your people.

Gracious God, we ask that you continue to bless all the people who work in the great and secret endeavor we call governance. Bless the staff, the Representatives, the Senators, and our executive

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leaders that all may know the presence of Your love and the reassurance of Your grace. Especially this day, we lift up Senator Gayle Slossberg and all the extended Slossberg family, far and near, at the loss of her beloved loved father, Harold. May they be surrounded by Your presence and comforted with Your peace.

We ask that this same peace be granted to all our families and to all our citizens across this great state and to indeed all the citizens across the great world.

May love, joy, peace, patience, kindness, goodness, faithfulness, gentleness and self-control be what we commit to this day; and at the end of this day, may we return to our homes with Your peace upon our souls.

We ask this in Your Holy and Gracious and Awesome Name.

Amen.

THE CHAIR:

Thank you, Reverend.

Senator McDonald, come up and lead us in the pledge.

THE CHAIR: Thank you, Senator.

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Are there points of personal privilege?

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Mr. President. Nice to see you up there this afternoon.

It is indeed an honor for me today to introduce to the circle of senators some of Danbury's finest. We are so proud of the Danbury Police Department's Explorer program.

This is a program of leadership development with various community-service-based activities that help participating youth pursue their special interests, grow and develop.

Training and educational activities are conducted on a regular basis by trained and certified police officer instructors with over 40 years of service to the Greater Danbury community. Our Police Explorer program has an established record of success in developing tomorrow's community, business and industry leaders.

Members of the Danbury Police Explorer Post have received awards in firearms competition, building search, physical agility, suspicion persons and many more.

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The Danbury Police Explorer Post has been named one of the three top programs in all of New England for three consecutive years.

With us today are the two professional leaders of this organization, Officer David Antedomenico and Officer Stephen Cameron.

Also with us today are Explorer Deputy Chief Robert D'Aadario, Explorer Sergeant Sebastian Ramirez, Explorer Brian Medina, Explorer Chris Rojas, Explorer Josie Montoya, Explorer Irsy Espinal, Explorer Raini Beato, Explorer Johnny Zuruma, Explorer Nicholas Houd, Explorer Axi Langi, Explorer Javier Nunez, Explorer Ronald Radas, Explorer Erica Kesmarca, and Explorer Darwin Ramashi.

I hope the circle will join me in welcoming this fine group of youths who are our future in law enforcement.

Thank you.

THE CHAIR:

Thank you, Senator. Welcome to the Senate and welcome to the chamber. We're glad to have you here.

Any other points of personal privilege?

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Senator Colapietro.

SENATOR COLAPIETRO:

Thank you, Mr. President.

A point of special privilege.

THE CHAIR:

Please proceed, sir

SENATOR COLAPIETRO:

I want to introduce my intern, who has been with me all this session, and I want you to know that he's a member of UConn and hopefully by being up here, he will be one of the next senators, maybe even taking my place. Hopefully so.

His name is David Cranston, and I will ask the chamber to give him a warm welcome/thank you, as well for being here in the Senate chambers.

David.

THE CHAIR:

Any other points of personal privilege?

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

We are honored today to have in our chamber someone that you all know very, very well, a woman who is a legend, state senator emeritus, that I was

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very fortunate to try to step in her shoes,
although it would be very hard to do, a champion of
education, but also known as our state's most
famous and most vigorous sports fan, particularly
when it comes to her Huskies today.

I would love for all of you to give her a warm
welcome and applause for the gratitude we have for her
service.

THE CHAIR:

Welcome back, Senator Freedman. Great to see
you. We miss you.

Any other points of personal privilege?

Senator Crisco? No?

Any other points?

If not, Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Good afternoon, Mr. President.

THE CHAIR:

Good afternoon.

SENATOR LOONEY:

Good to see you there, Mr. President.

Mr. President, I believe the Clerk is in
possession of Senate Agendas Numbers 1 and 2 for

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today's session.

THE CLERK:

Mr. President, the Clerk is in possession of Senate Agendas Numbered 1 and 2 dated Thursday, April 22, 2010. Copies have been distributed.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, Mr. President. Thank you.

Mr. President, I move all items on Senate Agendas 1 and 2 dated Thursday, April 22, 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:

Thank you, Mr. President.

Mr. President, if we could now proceed to the marking of today's calendar.

Mr. President, I will mark only bills that are marked go or PT at this stage, and then we'll go back and mark some additional bills for reference to various committees.

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So, Mr. President, beginning on calendar page 2, Calendar 53 is marked go. Calendar 61 is marked pass temporarily. And Calendar 72 is marked go.

On calendar page 3, Mr. President, Calendar 78 is marked go. Calendar 112, go. And Calendar 114, go.

On calendar page 4, Mr. President, Calendar 118, go. And Calendar 139, go.

Next, Mr. President, on calendar page 6, Calendar 184 is marked go. Calendar 185, marked go. And Calendar 203, marked go.

On calendar page 7, Calendar 221, marked go. And Calendar 225, marked go.

Calendar page 8, Mr. President, Calendar 249 is marked go. On calendar page 9, Calendar 269 is marked go. Calendar 272, marked go. And Calendar 299, marked go.

On calendar page 10, Mr. President, Calendar 332 is marked go. Calendar page 11, Mr. President, Calendar 333, marked go. Calendar 339, marked go. And Calendar 344, marked go.

Turning to calendar page 12, Mr. President, Calendar 386, marked go. And Calendar 387, marked go.

Calendar page 13, Mr. President, Calendar 389, marked go. And Calendar 390, marked go.

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On calendar page 14, Mr. President, Calendar 418 is marked go.

Moving now, Mr. President, to matters returned from committee, on calendar page 18, Calendar 63 is marked go. Calendar 75, marked go. And Calendar 77, marked go.

On calendar page 19, Calendar 84, marked go. And Calendar 92, marked go.

Moving, Mr. President, to calendar page 20, Mr. President, Calendar 111 is marked go. And Calendar 123 is marked go.

On calendar page 21, Mr. President, Calendar 129 is marked go. Calendar 138 is marked go.

Turning to calendar page 22, Mr. President, Calendar 145, marked go. And Calendar 154 is marked go.

On calendar page 23, Calendar 186 is marked go, and Calendar 189, marked go.

And, Mr. President, final item, on calendar page 27, Calendar 252, substitute for Senate Bill Number 456, is marked go. And, Mr. President, we'll mark that item as order of the day.

In addition, Mr. President, I have some bills to mark for committee referrals.

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Mr. President, the first of those is on calendar page 22. Calendar Number 146, Senate Bill Number 311, Mr. President, we'd refer that item to the Appropriations Committee.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

On calendar page 24, Calendar 195, Senate Bill Number 414, Mr. President, we'd refer that item to the Appropriations Committee.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 25, Calendar 218, Senate Bill 302, Mr. President, we'd refer this item to the Committee on Commerce.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

On calendar page 26, Calendar 238, Senate Bill Number 338, Mr. President, we'd refer that item to the

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Appropriations Committee.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

On Calendar's page 26, Calendar 250, Senate Bill Number 453, Mr. President, we move to refer that item to the Appropriations Committee.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 27, Calendar 256, Senate Bill Number 124, Mr. President, move to refer this item to the Committee on Finance, Revenue and Bonding.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

And finally, calendar page 27, Calendar 258, Senate Bill Number 274, Mr. President, move to refer this item to the Committee on Planning and Development.

THE CHAIR:

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Without objection, so ordered.

Thank you, Senator Looney.

Mr. Clerk.

THE CLERK:

Calling for the Senate Calendar for Thursday,
April 22, 2010, matters returned from committee.

Calendar page 27, marked order of the day.

Calendar Number 252, File Number 408, substitute
for Senate Bill 456, AN ACT CONCERNING STUDENT

ATHLETES AND CONCUSSIONS, Favorable Report of the
Committee on Education and Public Health.

THE CHAIR:

Senator Gaffey.

SENATOR GAFFEY:

Thank you, Mr. President.

Mr. President, I move adoption of the Joint
Committee's Favorable Report and passage of the
bill, sir.

THE CHAIR:

Thank you.

Will you remark further?

SENATOR GAFFEY:

Thank you, Mr. President.

Mr. President and colleagues in the Senate, I'm

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pleased to bring to you this legislation, which is a very proactive approach to protecting interscholastic athletes here in Connecticut.

I want to thank the majority leader, Marty Looney, for working with me on this and bringing together a team of doctors, athletic trainers, the folks from the CIAC, including Mike Savage, and coaches for their input in crafting this legislation.

I also want to thank Joel Rudikoff, our attorney, who took the lead on the drafting, along with Chris Cordima, the LCO attorney, who played football at Gettysburg College, by the way.

Mr. President and members of the Senate, 3.5 million concussions that are sports-related occur each year according to the United States Center for Disease Control and Prevention.

It's the second most frequent injury in sports, second only to ankle sprains. However, far more serious than spraining an ankle, obviously.

The statistics from the Center for Injury Research and Policy at Nationwide Children's Hospital in Columbus, Ohio point to a very alarming statistic, and that is that more than 40 percent of all high

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school athletes that have sustained a concussion or serious injury are returned to play or to practice long before they should be.

Mr. President, the injury to the brain on a concussed athlete is serious and needs to be treated appropriately, and this legislation aims to make certain that interscholastic athletes in Connecticut are not returned to play before their brain has had time to heal after such a shattering hit to the head, but that they are not returned to play until they are cleared from a competent medical authority.

And this is just not related to the sport of football, Mr. President. This is occurring in many sports in our high school athletic programs here year in and year out

In fact, it would surprise many that girls' basketball is one of the leading sports for concussions to occur. Girls' soccer, boys' soccer, wrestling are the other most frequently cited sports where concussions have been occurring in our athletic competitions in student athletes.

Mr. President, my -- I had my own experience with this a long time ago when I played football, and I can tell you of all the injuries that I had,

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this one troubled me the most, because you just had this very strange feeling of disorientation. And then having to go through medical treatment with brain scans, sit out, make sure that you're okay, it's a little unsettling, to say the least.

And we wanted to make sure, Mr. President, that unlike another state that's adopted similar legislation, that we don't have to wait for a student athlete in Connecticut to die before we pass this legislation.

Senator Looney put it the best. We don't want to have to name this piece of legislation after a student athlete in Connecticut.

Then I remembered that in my own town, long before I played in 1960, Maloney High School fullback by the name of Terry Wannett died two days after playing Conard High School from his head injury. We don't want that to ever happen again.

Mr. President, what the bill does is it requires that each and every coach in Connecticut that has to be permitted by the state Department of Education has to complete an initial training course on convulsions and head injuries which will be developed by the Connecticut Interscholastic

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Athletic Conference and a committee comprised of athletic trainers and docs.

The good news is, they've already done their work. The training module is already prepared, ready to go, so the coaches can and some have already begun taking it now.

I want to also thank State Representative Matt Conway, who serves on the Education Committee and who coaches lacrosse and has gone through this type of training.

The training course must include recognition of the signs and symptoms and behaviors of concussion and head injury, the nature and risk of concussions of head injuries, including the dangers of continuing to play before the player is ready to be returned to play and has healed, and the proper method of allowing athletes to return to play.

After the initial training course, coaches will be required annually to review the most recent relevant information regarding concussions and head injuries, and every five years thereafter, coaches will have to take a refresher course.

The bill will require the coach to immediately remove a student athlete from competition or from

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practice when they have observed or reasonably have observed a major hit to the head and an athlete that is showing the signs and symptoms and behaviors of having incurred a concussion.

The coach should not permit the student athlete to return to play until that athlete has been medically cleared to return to play. And it's quite a process that trainers and doctors will follow to make sure that the student athlete after several tests, including when they're ready, tests of exertion, are not showing the signs and symptoms that are related to a concussion.

Mr. President, the Clerk does have an amendment, it is LCO Number 3774. If the Clerk would please call the amendment and I be granted leave of the chamber to summarize, sir.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 3774, which will be designated Senate Amendment Schedule "A." It is offered by Senator Gaffey of the 13th District, et al.

THE CHAIR:

Senator Gaffey.

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SENATOR GAFFEY:

Move adoption, sir.

THE CHAIR:

It's been properly moved.

Will you remark further?

SENATOR GAFFEY:

Thank you, Mr. President.

Mr. President, I want to thank, again, Senator Looney, Attorney Rudikoff, and most of all Senator Fasano. It was Senator Fasano who was a star football player in his own right at Yale, helped us with its drafting, and he pointed out that there can be situations where a student athlete might be showing some types of symptoms that are similar symptoms to a concussion but may not have incurred a concussion during play.

So this will be -- this amendment will clarify that unless the coach reasonably believes that the signs or symptoms or behaviors of the student athlete result from an illness that or physical condition other than a concussion, they're not required to follow the same process of the underlying bill.

The second party of the amendment, Mr. President, makes it clear that the treating module that has been

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developed by the CIAC in working with their committee of trainers and doctors and coaches will be the appropriate training method -- I'm sorry, training module that will be approved by the state Department of Education.

I urge support.

THE CHAIR:

Thank you, Senator Gaffey.

Will you remark further? Will you remark further?

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

I'm going to remark later on in the bill, but with respect to this amendment, I want to thank Senator Gaffey and Senator Looney and Mr. Rudikoff for allowing me to participate in what I believe to be a very important bill in the State of Connecticut.

What this amendment does, I believe, as Senator Gaffey has indicated, brings some reasonableness to give the coaches the ability to coach. They know their kids. They'll be able to make evaluation on a case-by-case basis.

I support the amendment, and I hope to speak on

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the bill in its totality a little bit later after the amendment, which I think will pass.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

On the amendment, we'll have some later comments on the bill, but I wanted to thank Senator Fasano for his work on this amendment to help fine-tune it, to recognize that there are a variety of situations that can occur when a player may seem to be impaired, that there are other circumstances where it may not result from an apparent head injury.

This allows us to fine-tune the bill to deal with those situations where a coach will reasonably comprehend that the player has, in fact, suffered a concussion as opposed to some other type of injury or temporary lapse.

So again on the amendment, I think this improves the bill and helps to fine-tune that particular section regarding the reasonable responsibility to be

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assumed by coaches.

So I would urge adoption of the amendment.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Looney.

Will you remark further? Will you remark
further is?

If not, I'll try your minds. All those in favor,
say aye. Opposed, nay. The ayes have it. The
amendment passes.

Will you remark further?

Senator Gaffey.

SENATOR GAFFEY:

Thank you, Mr. President.

On the bill as amended, and just in
conclusion, I want to thank all of the athletic
trainers and the doctors and coaches that provided
input..

It was one of the best hearings we've had this
session, and we're taking this very, very seriously in
Connecticut. There's only two other states that have
adopted this legislation, Oregon and Washington, and
we want to make certain that our kids get protected
and the coach that doesn't follow the law will have to

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forfeit his coaching permit.

So there is a significant repercussion for those that don't follow this law.

So with that, Mr. President, I would hope that all the members would vote in favor of the bill.

Thank you, sir.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Meyer.

SENATOR MEYER:

Thank you, Mr. President.

I really want to urge active and enthusiastic support of this bill, and after it's passed we tell our schools and our students that the bill has passed, but I also have to share with you a personal experience.

In the spring of 1947 when I was 12 years old, I was a baseball player, and I got beamed twice with concussions. Remember, those were the days -- some of you remember, those were the days there were no helmets, in the 1940s. And when you got beamed by a baseball without a helmet, you got a bad concussion.

And what happened was that Dr. Stewart, my family

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doctor, said that if I got a third concussion, that I could be permanently disabled. And that's what's good about this bill.

And as a result of what Dr. Stewart said, a baseball -- one of the first baseball helmets in the history of the game was devised for me, and I still have back at home that baseball helmet that prevented a third concussion.

Tom, thank you for doing this. Great service.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

Mr. President, through you, to the proponent of the bill for the purposes of legislative intent.

THE CHAIR:

Senator Gaffey, please prepare yourself.

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President..

Through you, Mr. President, to Senator Gaffey.

In the event -- it's my understanding that the

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coach has the ability to remove a kid from play while the play is going on off the field and evaluate that child or that player to determine whether or not that player has been injured and that would not be deemed a removal from play under this law; is that correct?

Through you, Mr. President.

THE CHAIR:

Senator Gaffey.

SENATOR GAFFEY:

Yes, unless -- unless -- through you, Mr. President -- the coach -- and usually the coach will yield to the athletic trainer in making this observation, unless they discern that it is in all likelihood a head injury or concussion that is affecting the player.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

So let me just take an example. So if there was a football play in which a player at the end of that play took a knee, either he delivered a hit or perhaps took a hit, took a knee to sort of regain his

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composure and a coach pulled that player off the field, asked him questions, recognized that, you know, it was just short -- you know, he got hit in the stomach or a bruised arm or was not any other symptom that resembled a concussion, he would be free to put that student back in the game or that player back into the game under this law; is that correct?

Through you, Mr. President.

THE CHAIR:

Senator Gaffey.

SENATOR GAFFEY:

Yes. Through you, Mr. President, response to Senator Fasano's question.

Certainly if the coach and trainer had discerned it was simply a case where the player got the wind knocked out of him on a tough hit but it was not head-injury-related at all, certainly they would be allowed to make the call and put the player back into the game once the player has recovered.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

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I realize that this bill doesn't apply just to football, but I'm going to use another football example, if I may.

So in the event that a -- this gives the liberty of the coach -- through you, Mr. President -- to evaluate on a case-by-case basis whether or not a player who may for whatever reason be unable to play the next play, he be able on a case-by-case basis based upon his best judgment make a determination whether that player has symptoms which equate to a concussion, and if he believed under his best judgment that those symptoms did not exist, he could return that player to the field; is that correct?

Through you, Mr. President.

THE CHAIR:

Senator Gaffey.

SENATOR GAFFEY:

Through you, Mr. President.

Yes, I would agree with you, Senator Fasano, particularly when the coach is -- the coach's decision is augmented by the informed decision of the trainer along with the coach, in particular, in that case, yes.

But certainly if the coach has determined that

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the player has simply had the wind knocked out of him and it is not head-related whatsoever, then the player can be returned to play.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

And equally true, if I may, in football sometimes we call them "dingers," but they're not really head injuries per se, but you -- you know, you hit somebody hard, you -- you have a momentary pause.

Even though it may seem like it involved a head injury, as long as the coach was comfortable that the symptoms were not those of a concussion and he was convinced of that based upon a reasonable observation, he could return the player to competition; is that true?

Through you, Mr. President.

THE CHAIR:

Senator Gaffey.

SENATOR GAFFEY:

Through you, Mr. President.

That one we want to be a little more careful with, because we used to -- as you recall, the

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common phrase was the player "had his bell rung."

But what we found in the testimony in the hearing from the doctors and the athletic trainers who testified -- who testified was that many times in cases if the coach or assistant coaches observed the player with a pretty tough hit and they said, well, he got his bell rung, in many of those occasions you have had a player sustain either a mild concussion or a concussion.

So when there's -- the purpose of the bill is when there's a head-related injury, they have to be very careful and follow what they've learned through the training module offered by the CIAC.

But certainly after they have done that, in particular -- again, I'll repeat -- consulting with the athletic trainer, or doctor or physician, and most important if the physician is on the sideline with the team, certainly if their informed decision at that point is the player has not suffered a concussion, the coach is free to put the player back in when the player's recovered.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

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Thank you, Mr. President.

I just want to clarify a little bit of that, because I want to be clear what I believe is the intent of the bill, as you do.

So if a -- if a student were to receive or a player were to receive a bell rung, as you say, and the coach pulls him out, does that analysis that he's learned through that module determines, even though there's not an athletic trainer, because all high schools don't have an athletic trainer, on his own determines that there's no -- none of those symptoms that he's been taught exist with respect to this player, he can return that player to the field?

Is that an accurate position?

Through you, Mr. President.

THE CHAIR: .

Senator Gaffey.

SENATOR GAFFEY:

Through you, Mr. President.

Yes, it is. If the coach has followed what he learned in that training module and been very careful and sort of mentally checking off the boxes as he's observing the player, yes, it would be in the reasonable decision of the coach to return the

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player to play.

Through you, Mr. President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

And in the event that through these symptoms that this coach has learned, if he finds that, in fact, you know what, this kid in my view has suffered a concussion, at the minimum -- or I should say he must have that player be ineligible for any competitive contact for 24 hours and after that can only return to competitive contact if and when he receives the appropriate approval written from the licensed medical practitioner; is that correct?

Through you, Mr. President.

THE CHAIR:

Senator Gaffey.

SENATOR GAFFEY:

That is absolutely the case, Senator Fasano. Through you, Mr. President. And I'll repeat, the -- the phrase that was going -- when in doubt, sit out. If there's any inkling that the player after sustaining a head hit is showing any of those

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types of symptoms, the best thing to do and the most appropriate action is to sit the player out.

Through you, Mr. President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

I thank Senator Gaffey both for his comments on this bill and his work on this bill.

Mr. President, I've had the privilege, and I say privilege, of playing football in both high school and college. And I think it's a great sport. And it does have its downfalls, one of which is that -- I think Vince Lombardi said that dancing is a contact sport and football is a collision sport, and nothing is more true.

And there are a number of activities -- hockey, lacrosse, as Senator Gaffey mentioned. And there are situations -- coaches know their kids. Coaches know their kids. Coaches understand the students that they teach and the players that they teach, and they really get to know when a kid has an injury such that he is not acting appropriately.

Mr. President, this bill is very important. I

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had some reluctance when I first saw the bill. I did read up on it and I looked at Washington and Oregon. I believe in Washington, the bill is named after a child who had a concussion, continued to play and then died. And we don't need to have a bill named after a child. I agree with Senator Looney and Senator Gaffey on that.

But I think what this bill does that I think is unique to the bills are out there, it doesn't put an absolute liability on the coach. It doesn't say, listen, if you see a kid take a knee, whether it's hockey or lacrosse or football, you got to take him out and that's it.

This allows the coach to make a reasonable test after being educated in a course that's passed the muster whether or not that concussion has an effect on that kid or whether or not his head injury resulted in a concussion. When in doubt, sit out. Absolutely a safe policy.

And I think our coaches can do that, especially the way they know that the players that they're playing for.

So It's a privilege to stand here and support this bill. It is -- certainly has some drawbacks, and

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I get that, but the overriding public policy that this bill presents is overwhelmingly supportive of the coach and the athletes.

So, Mr. President, with that, I would strongly urge passage of this bill. I think this can make a tremendous difference in the athletics. And I want to thank Senator Gaffey, Senator Looney, Senator Caligiuri and the other members of the Education Committee for their help in this, especially Joel Rudikoff, who worked many hours in trying to put together the language and bring about a bill which I believe is as complete as can be.

Thank you very much.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President.

I stand in favor of the bill today, particularly with a household full of kids that are constantly close to getting concussions, and we've had a few, in fact, concussions in the house -- actually, not in the house but on the playing

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field, lacrosse and football and ice hockey. And these kids are very, very good rough-housers, and I can tell you we know all about mild head injuries, as well as an actual concussion itself.

And I'm also very happy to see that this does apply to all sports. The -- I do have a question for the Senator, if that's okay, through you, Mr. President.

THE CHAIR:

Senator Gaffey, please prepare yourself.

SENATOR FRANTZ:

Through you, Mr. President,

Senator Gaffey, we talked a little bit about liability -- the senator that spoke before me talked a little bit about liability and how there's a certain amount of reasonableness in the judgment that would be called for in making a decision whether to pull a younger person off the playing field or not.

In the hearings, which I was unable to attend, there must have been some comments on how this bill might affect inferred liability for someone who's now been trained to try to recognize the symptoms of a concussion and puts a -- perhaps a little bit more

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onus on that particular individual to make the right call.

Was there any advice you received either in the set of hearings or through the legal staff that you might have been working with as to how that might relate to ultimate liability of the individual coach?

And I ask the question because I am concerned that some coaches -- potential coaches may have that question.

THE CHAIR:

Senator Gaffey.

SENATOR GAFFEY:

Through you, Mr. President.

Senator Frantz, we actually did not have any testimony whatsoever with regard to inferred liability, as may -- may be interpreted through this legislation at all.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Through you, Mr. President.

Okay. I -- I'm interested to hear that, and I also would assume that as far as legislative intent is concerned, that you and the committee do not

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seek to have any additional inferred liability with this bill.

THE CHAIR:

Senator Gaffey:

SENATOR GAFFEY:

Through you, Mr. President.

No. Absolutely not. I can tell you that the CIAC, who are intimately working with coaches day in and day out and prepared training modules, they did not see this to be a problem in our discussions with them.

... But to answer your question directly, the answer is no, sir.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you.

Through you, Mr. President.

I knew that would be the answer. I just wanted to get it on the public record. And again, thank you, and congratulations for a great bill.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

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Will you remark further?

Senator LeBeau.

SENATOR LeBEAU:

Thank you, Mr. President.

I want to thank the authors of this bill, everybody that's spoken today, Senator Fasano, particularly Senator Gaffey for bringing this bill out today.

You know, we -- I think we all have a different reaction when we know somebody who's been involved in this, and I appreciated Senator Gaffey's own story of playing football himself.

I had a son who a couple of years ago was an all-state player. Probably wasn't as good as Tony Guglielmo, but he was pretty good, and he suffered literally a -- you know, what we said was one and a half concussions during the course of his career.

And as I said, he was an all-state player. He was good. But, you know, we need to err on the side of caution here. The long term results of this kind of traumatic brain injury can -- a loss of memory and reasoning, inability to think, possible loss of touch, taste and smell, language problems, communication problems, emotional problems, depression, anxiety,

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personality changes, aggression, these are all possible changes -- these are all possible things that can come from a concussion.

So this is really serious business, and I think, you know, when you're on a team and you're in a close game or you're in a close league and your record is seven and two and you're playing another team that's seven and two, there's a lot of pressure to play and to get your best players out on the field. It comes from the coach. It comes from the other kids. It comes to some degree from the parents.

And I think that this bit of caution that is being added and this bit of knowledge that the coaches will have -- I thank God that my coach, the coach for my kid, went to high school at East Catholic High School, knew about this and would -- and took a very strict line on concussions and brain injuries and made him sit down when he was dizzy.

He got knocked out, and then he had to sit out the game, and he had to see a doctor before he could come back in, and he had to be totally cleared.

So -- and that's when I first started learning about this. I mean, this can lead to Parkinson's

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Disease and other very serious ailments later in life.

I had a friend who was a boxer. It was Maxi Atwater. He was a light heavyweight, middleweight and light heavyweight from East Hartford. He was in this -- served on the democratic town committee, and he had concussions, multiple concussions, died of -- died of the effects of Parkinson's Disease a couple of years ago.

Very serious business, a very serious bill. I know that we're going to give our overwhelming support for this today, and I think it's wonderful that we are taking this proactive measure.

And again, my congratulations to the authors of this bill and to those who had the foresight to see -- of doing the right thing here and to the people and to the coaches themselves who brought this to the Education Committee.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Looney.

SENATOR LOONEY:

We do have, as was mentioned, a number of members

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of the Senate who were former football players at various levels, and it certainly is bipartisan.

Senator Fasano starred as -- played football at Yale, and we have Senator Crisco and Senator Guglielmo, who played for UConn. Senator Gaffey was a high school star. So we have those who are intimately familiar. Senator LeBeau's son was an all-state player.

So many of our members have had close either direct or close family experience in concern about both this -- playing sports and concern about athletes' safety.

What is reflected in this bill is part of a growing national movement. As Senator Gaffey said last year, the states of Washington and Oregon adopted this policy of when in doubt, sit out. It is a part of a growing discussion in many states around the country for the same reason that head injuries are now being recognized increasingly as -- as both significantly common and also having long-term effects.

We're hearing many reports now about former professional football players, veterans of many years in the National Football League who are now suffering

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severe neurological impairments that are similar to the kinds of impairments that have previously been associated with boxers. We're now hearing it increasingly regarding former professional football players.

But as Senator Gaffey said, this bill is certainly not limited to football, nor are head injuries limited only to football.

As Senator Meyer said, it can happen in baseball, it has happened him. It can happen in lacrosse. It can happen in soccer. It can happen to girls as well as to boys.

And the national statistics are quite striking, that concussions were the second most common injury among high school student athletes during the 2008-2009 school year, next to ankle sprains and strains, and it is something that is of growing concern. And statistics have shown alarmingly that about 40 percent of high school athletes that suffer concussions return to play before it is safe to do so, and that is a very, very dangerous fact.

So I also want to give great credit to our coaches, to the CIAC who recognizes this, who supported the possibility of legislation, that they

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were in the process of adopting it as part of their own internal rules and regulations but believe strongly that it would be preferable to have this concern reflected in statute to give it more weight, more urgency, more permanence, and that is what we move forward to do.

I want to thank Joel Rudikoff for his research on this and looking at the work in other states and helping to shape the bill. It is something I think that -- that we can be proud to do as a measure to protect our children, to protect those who are engaging in a variety of sports in the state, having great fun, but we know that sports, as Senator Fasano said, many active sports are collision sports, not just contact sports, and we need to do all we can to protect our children.

So I urge passage of the bill. And again, thanks to all who have worked on this in a bipartisan way.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Looney.

Will you remark further?

Senator Williams.

SENATOR WILLIAMS: Senator Looney, Mr. President.

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This is an example of bipartisan cooperation to effect a change that will help preserve the safety of our young people as they grow and develop, as they participate in sports, as they push the limits of what they can and cannot do.

We are now providing a framework to ensure that in that process, they remain safe and that they are allowed to develop to their potential, without injury and with full health.

So I want to thank very much our majority leader, Senator Marty Looney, who has worked very, very hard on this, Senator Tom Gaffey, our tremendous chair of the Education Committee, Senator Len Fasano on the other side of Education Committee, all of the other senators in both political parties who have helped make this happen as they have reached out and listened to the experts as well as the young people themselves, the parents and the coaches.

Mr. President, this is a great example of taking a step forward where both sides have come together to make that happen.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Williams.

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Will you remark further? Remark further?

If not, Mr. Clerk, please announce pendency of
a roll call vote.

I'm sorry, Senator Gaffey. No? Okay.

Mr. Clerk.

Senator Gaffey.

SENATOR GAFFEY:

Mr. President, if there's no objection, I
would motion for the bill to be placed on the
consent calendar, sir.

(Inaudible.)

We'll withdraw that motion, Mr. President.

THE CHAIR:

Thank you.

Mr. Clerk, please announce pendencies of a roll
call vote.

THE CLERK:

Roll call has been ordered in the Senate.

Will all senators please return to the chamber.

Immediate roll call has been ordered in the Senate.

Will all senators please return to the chamber.

THE CHAIR:

Senator Meyer. Senator Harris. Senator
Meyer.

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Have all members voted? Have all members
voted? Have all members voted?

If all members have voted, the machine will be
locked and the Clerk will announce the tally.

THE CLERK:

Motion on passage of Senate Bill 456.

Total Number Voting	34
Those Voting Yea	34
Those Voting Nay	0
Those Absent, Not Voting	2

THE CHAIR:

The bill passes.

Mr. Clerk.

THE CLERK:

Calendar page 2, Favorable Reports. Calendar
Number 53, File Number 28, substitute for Senate
Bill 141, AN ACT REQUIRING DISCLOSURE OF ASSETS IN
GROUP LONG-TERM DISABILITY INSURANCE POLICIES,
Favorable Report of the Committee on Insurance.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, Mr. President, thank you.

Mr. President, if that item might be passed,

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retaining its place on the calendar.

THE CHAIR:

Without objection, so ordered.

Mr. Clerk.

THE CLERK:

Calendar Number 72, File Number 40, Senate
Bill 40, Senate Bill 95, AN ACT CONCERNING
PRESERVING GOOD CAUSE FOR LATE FILING OF CERTAIN
UNEMPLOYMENT COMPENSATION APPEALS, Favorable Report
of the Committee on Labor and Public Employees.

The Clerk is in possession of --

THE CHAIR:

First Amendments. The Senate will stand at
ease.

THE CHAIR:

Senator Looney. The Senate will come back to
ease -- the Senate will come back to order.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, if that item, Calendar 72, Senate
Bill 95, might be marked passed, retaining its place
on the calendar.

THE CHAIR:

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Thank you, Senator Looney.

Mr. Clerk.

THE CLERK:

Calendar page 3, Calendar Number 78, File Number 77, Senate Bill 265, AN ACT REQUIRING HEALTHCARE PROVIDERS TO DISPLAY PHOTOGRAPHIC IDENTIFICATION BADGES, Favorable Report of the Committee on Public Health.

SENATOR LOONEY:

Mr. President --

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

-- if that item might be marked passed -- passed, retaining its place on the calendar.

THE CHAIR:

Thank you, Senator Looney.

Mr. Clerk -- without objection, so ordered.

THE CLERK:

Calendar Number 112, File Number 130, Senate Bill 264, AN ACT PROHIBITING SMOKE IN LICENSED CHILDCARE FACILITIES, Favorable Report of the Committee on Public Health.

THE CHAIR:

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Senator Looney.

SENATOR LOONEY:

Yes, Mr. President. If that one might be marked as passed temporarily.

THE CHAIR:

Without objection, so ordered.

Mr. Clerk.

SENATOR LOONEY:

Mr. President, if we might stand at ease for a moment?

THE CHAIR:

The Senate will stand at ease.

THE CHAIR:

The Senate will come back to order.

SENATOR LOONEY:

Mr. President --

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you.

Mr. President, if the Clerk would call on calendar page 23, Calendar 186, substitute for Senate Bill Number 260.

THE CHAIR:

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Mr. Clerk.

THE CLERK:

Turning to calendar page 23, Calendar Number 186, File Number 247, substitute for Senate Bill 260, AN ACT CONCERNING HEALTH INSURANCE COVERAGE FOR ROUTINE PATIENT CARE COSTS FOR CERTAIN CLINICAL TRIAL PATIENTS, Favorable Report of the Committee on Insurance and Appropriations.

THE CHAIR:

Senator Crisco.

SENATOR CRISCO:

Thank you, Mr. President.

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

THE CHAIR:

Move on acceptance.

Will you remark further?

SENATOR CRISCO:

Yes, Mr. President.

The Clerk has an amendment. I would like to request that LCO 3807 be called and I be given permission to summarize, and I move its adoption.

THE CHAIR:

Thank you.

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Mr. Clerk.

THE CLERK:

LCO 3807, which will be designated Senate
Amendment Schedule "A," it's offered by Senator
Crisco of the 17th District.

THE CHAIR:

Senator Crisco.

SENATOR CRISCO:

Yes, Mr. President, members of the circle.

This basically authorizes the insurance
department to develop one standardized form instead
of two or three if this amendment did not pass for
each of the clinical trials that will be covered.

THE CHAIR:

Thank you, Senator Crisco.

I know you moved adoption before the amendment
was called.

Can you move adoption again?

SENATOR CRISCO:

Yes, Mr. President. I move for its adoption

THE CHAIR:

Thank you, Senator Crisco.

Will you remark further? Any other -- will you
remark further?

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All those in favor, please say -- signify by saying aye. All opposed, nay. The ayes have it.

The amendment's adopted.

Senator Crisco.

SENATOR CRISCO:

Thank you, Mr. President, members of the circle.

There's a quote from Emerson that states, "Do not go where the path may go. Go instead where there is no path and leave a trail." And seven years ago -- several years ago, Mr. President and members of the circle, this body took a very historical -- took very historical action in passing legislation that would require coverage for cancer in clinical trials.

Now, a clinical trial is not something very simply that one could participate in. There are something like six different criteria that are needed for an individual to help participate in a certain clinical trial and to be classified as a clinical trial patient.

This legislation, Mr. President and members of the circle, expands the eligibility and the coverage for clinical trials to Parkinson's Disease and

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multiple sclerosis. And I hope that no one in this circle has ever had experience of a loved one who has experienced these two dreaded disease.

And what will happen now is that if this bill passes and is signed by the governor, then those with Parkinson's and multiple sclerosis, and if they qualify for clinical trials, can participate in the clinical trial study with the hope, with the hope that a remedy, a cure can be found.

We had a discussion yesterday, Mr. President, in regards to costs versus benefits. Putting aside the pain and suffering, putting aside the saving of a life, and considering that a life can be led normally is the objective of these clinical trials.

And the end results if success is achieved would be the millions of dollars that are expended in regards to chronic illnesses if we could come up with a remedy or resolve the diseases of multiple sclerosis and Parkinson's Disease, Mr. President.

THE CHAIR:

Thank you, Senator Crisco.

Senator Caligiuri.

SENATOR CALIGIURI:

Thank you very much, Mr. President.

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Mr. President, members of the circle, this is a wonderful, wonderful bill, but it is a wonderful bill which in my judgment we cannot afford this year.

I spent about six or seven months ago, a Friday afternoon, with the actuaries for most, if not all, of the insurance companies, the health insurance companies writing business in Connecticut, and I spent that time with them because I wanted to try to come to understand what are the factors that drive health insurance costs, especially in the State of Connecticut.

The first and most significant factor is the cost shift to private pay that's occurring because we underfund Medicaid as badly as we do. That's the single largest part of why health insurance costs are as big as they are in Connecticut.

But there is another one, and the other reason is the large number of mandates that we have. These mandates are well-intentioned. They help people, but we have to do the cost benefit analysis not after we pass them but before them and at a time when business is struggling and families are struggling.

And, remember, everything that that increases costs with, whether it's for business or otherwise,

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ultimately filters down to individual households and individual consumers. And it is my belief that in this climate, during these dire economic times that we're continuing to work our way through, any incremental cost -- increase in cost to obtain health insurance is something that we ought to avoid and not contribute to.

And however well-intentioned and excellent this bill is on the merits, I believe this bill will have that effect, and for that reason I will be voting against it and would urge others to consider doing the same for the same reason.

I hope that in a better economy we can revisit this issue, next year and beyond, because on the merits, it's a wonderful thing to be able to do. But this will come with a cost, and it's a cost we can't even keep up with right now.

And as Senator McKinney pointed out yesterday during debate on another issue, if we were able to guarantee that these costs wouldn't get passed on to consumers, I'd be all for it. But that's not what's going to happen. It will get passed on to consumers, and this will be among the more costly mandates we consider this year.

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And so again, for those reasons, I rise in opposition to the bill, notwithstanding my great respect for what this bill tries to achieve.

Thank you, Mr. President

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Debicella.

SENATOR DEBICELLA:

Through you, Mr. President, a question to the proponent of the bill.

THE CHAIR:

Senator Crisco.

SENATOR DEBICELLA:

Through you, Mr. President.

Why doesn't this bill expand the coverage to include AIDS under the -- under what clinical trials will actually be covered?

Through you, Mr. President.

THE CHAIR:

Senator Crisco.

SENATOR CRISCO:

Mr. President, through you to Senator Debicella, there's a very simple answer to that.

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We originally looked at putting a definition of like those diseases that come under two percent of the population. But when we looked at that, which did include AIDS and other diseases, the coverage for this particular time was too great.

And so we decided to concentrate on two particular illnesses that have the greatest rate of incident and the greatest possibility of -- of remedy, and that's why it's not in there.

But at some time down the future if Senator DeBicella would like to include AIDS, we would gladly sit down and talk to him about it.

THE CHAIR:

Senator DeBicella.

SENATOR DEBICELLA:

Thank you, Mr. President.

And, through you, why two percent? Why did the good senator decide two percent was the right number to force insurance companies to cover clinical trials?

Through you, Mr. President.

THE CHAIR:

Senator Crisco.

SENATOR CRISCO:

Very simply, now, this two percent just was a

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figure that narrowed the scope of clinical trials.

Just a mathematical situation, which we knew the numbers.

I mean, you could go beyond two percent, beyond ten percent, Mr. President, to the good senator, and have a very expensive application.

THE CHAIR:

Senator DeBicella.

SENATOR DEBICELLA:

Thank you, Mr. President.

I thank the good senator for the answers to those questions.

Mr. President, clinical trials are actually something that are near and dear to my heart. My father passed away, unfortunately, from cancer ten years ago, but in that process, he actually got clinical trials for cancer where he actually had a procedure done where they took the stem cells from his bone marrow, then gave him chemo and then put the stem cells back in.

That is now common procedure. That is now common procedure for anybody who has cancer.

These clinical trials are essential. However, I find this law that we're passing today arbitrary, and

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Senator Crisco said he picked two percent as the cutoff because he needed to narrow the scope.

Well, that's the problem with these mandates, is that we as lawmakers are arbitrarily saying what insurance companies should and should not cover.

I'm sure folks out there who are dying of AIDS right now would love to force insurance companies to cover that. And we all know in the circle that we can't pass a bill to force the insurance companies to cover everything, because the system would go bankrupt.

And so, Mr. President, it's with a heavy heart that I stand in opposition to this today, because I am a true believer in clinical trials, but I'm also a believer that the 36 of us in this circle don't have the expertise more than the market and the medical community out there to dictate what should and should not be covered, so I stand in opposition to this bill.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator DeBicella.

Senator Crisco.

SENATOR CRISCO:

Thank you, Mr. President.

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Mr. President, just for clarification, I apologize to Senator DeBicella. I didn't mean to indicate that it was only two percent. I just used that as a reference.

But I also want to assure Mr. DeBicella that because of the great work that was done in Washington on national healthcare reform, that AIDS is considered a life-threatening disease, and the National Healthcare Reform bill is going to address the AIDS issue.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Speaking in support of the bill, Mr. President, I want to commend Senator Crisco and the Insurance and Real Estate Committee for bringing this bill forward.

One of the key issues that that we know regarding clinical trials is that actually routine patient costs for clinical trial patients are generally not any more expensive than they are for other patients, but one of the -- the terrible ironies

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and anomalies that people who participate in clinical trials often run into is that if they are participating in a clinical trial, some of the ancillary services that they may receive as part of that trial wind up not being covered when they would in fact have been covered for someone who was not participating in a clinical trial, and that is one of the terrible ironies of how this system operates.

And what that means is that these brave individuals who are participating in a trial, they, in fact, never know whether they might be the ones receiving a placebo as opposed to the actual drug that is being tested.

The benefits will accrue potentially to someone in the future, not to the person who is actually undergoing the clinical trial. And the reality is, is that in some ways, those participating in a clinical trial are at a financial disadvantage for doing so, which adds, in effect, an unfair and ironic twist to someone who is volunteering for something in a courageous way to improve the public health and improve scientific knowledge, actually suffers a, in effect, a financial loss for doing so.

And as Senator Crisco said, ideally, it would be

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preferable, perhaps, to -- to provide for this coverage in all clinical trials.

A few years ago, the breakthrough was made regarding cancer treatment. A number of other states have also expanded their coverage for various clinical trials somewhat by a few categories at a time, as we are seeking to do this year as a way to balance cost factors versus the need for coverage.

So as Senator Crisco said, there was a basis in terms of -- of selecting these particular conditions, multiple sclerosis and Parkinson's, which affect a significant percentage of the population and to move forward with this expanded coverage in this way.

Obviously, it is not to say that other diseases should not be, but given our -- the realities of the system under which we operate, this is the sort of incremental progress that we believe we can make this year.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark further?

Senator Crisco...

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SENATOR CRISCO:

Thank you, Mr. President.

Mr. President, I think it's also extremely important for members of the circle to understand fully what a clinical trial is.

The bill defines a clinical trial as an organized, systematic scientific study of interventions for Parkinson's Disease or MS treatment, a palliation or therapeutic invention for prevention.

If the trial is for prevention, it must be a Phase III trial conducted at multiple institutions. Phase III clinical trials compare a new drug or surgical procedure to the current standard of treatment. This definition is already law with cancer.

The point that I'm trying to make, Mr. President and members of the circle, clinical trial studies aren't that abundant. We're very fortunate to have the ones that we have.

And again, if we can look at the glass being half full, the dollars -- again, forgetting the human element, life and being able to lead a life -- the dollars that be will saved because of these clinical trials in regards to drugs, surgery,

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et cetera, would be astronomical compared to the costs of doing the clinical trials.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark further?

If not, Mr. Clerk, please announce pendency of a roll call vote.

THE CLERK:

A roll call has been ordered in the Senate.

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

THE CHAIR:

Senator Harp. Senator Harp. Senator Meyer. Have all members voted?

If all members have voted, the machine will be locked and the Clerk will announce the tally.

THE CLERK:

Motion on passed Senate Bill 260 as amended.

Total Number Voting	35
Those Voting Yea	28
Those Voting Nay	7

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Those Absent, Not Voting 1

THE CHAIR:

The bill passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, if the Clerk would call next calendar page 20, Calendar 111, Senate Bill 245.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calendar page 20, Calendar Number 111, File Number 129, substitute for Senate Bill 245, AN ACT CONCERNING SMOKING IN WORKPLACES, Favorable Report of Committees on Public Health and Labor and Public Employees.

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

Thank you, Mr. President. Good afternoon.

THE CHAIR:

Good afternoon, Senator.

SENATOR HARRIS:

I move acceptance of the Joint Committee's

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Favorable Report and passage of the bill.

THE CHAIR:

Questions on passage?

SENATOR HARRIS:

Thank you, Mr. President.

Mr. President, you might recall that a couple of years ago, we passed -- actually, a little longer, passed a landmark piece of legislation to prohibit smoking in the workplace. This piece of legislation that was passed, which has made Connecticut healthier, and has led to fewer people smoking, actually, only required businesses of five or more employees to restrict smoking within the workplace.

Mr. President, this bill changes that current law and brings the prohibition down to one or more employees, so all businesses in Connecticut will now be smoke-free if and when this piece of legislation passes.

This is an extremely important bill not only for the health of our citizens but of course for our taxpayers, for costs.

If you look at it nationally, nearly a million deaths a year are caused by cardiovascular disease, which has a direct link, causal relationship to smoke,

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smoking, secondhand smoke.

As a matter of fact, 34 -- 37, excuse me, to 40,000 of these deaths are linked directly to secondhand smoke.

If you take a look at the cost here in Connecticut, it was estimated by the Campaign for Tobacco-Free Kids that annual healthcare costs directly caused by smoke is 1.63 billion here in the State of Connecticut. Four hundred thirty million of these costs are borne by the state's Medicaid program, directly -- directly on the backs of our taxpayers.

So again, what this bill will do will be preventing smoking in all workplace settings. It shouldn't matter whether you are in a business of three people, which means now you would be exposed to secondhand smoke, or add two more employees, up to five employees, and then somehow you would deserve protection against what is known to be a killer.

Mr. President, I urge adoption of this bill. And I just want to clarify something for the record, because in going through this exercise and trying to make sure that we do this prohibition in the most responsible way but do respect the rights of people that smoke, a couple of things I want to mention.

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First of all, if you are working at home, you will not be prohibited from smoking in your own home. We are not invading that particular area.

And the intent of this bill also, while it goes down to one person, even if they're self-employed, is to get at situations where secondhand smoke is a real issue, where it is a killer.

So the example that we were trying to get to very often occurs particularly in this economy. Say you have to group of accountants, individual businesses, but they're in a shared office space, so each of --

THE CHAIR:

Senator Harris, can you hold on a second, please? Senate come to order, please. Take your conversations outside.

Thank you. Please continue.

SENATOR HARRIS:

Thank you, Mr. President.

So again, a shared office space where each of the individuals, independent businesses, single people have their own offices, but because they're in the same facility, there is air circulating in between these offices and what one individual does in one can have a deadly effect on the health of an individual in

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another.

We're not trying to get to a situation where, say, there might be an individual who has a -- their own business and is, say, just one room, one structure, isolated, no exchange of air, no secondhand smoke. That's not the intent of this bill.

I will say, though, that a lot of those businesses do, in fact, have customers, have the public coming in to them. And, of course, the public can be exposed to the dangers of secondhand smoke.

But that's what we're trying to get to, again, trying to keep people healthy, trying to lower the costs to our healthcare system.

And I also want to just add here that there are studies from around the nation, I believe 21 states now have the similar prohibition, that when smoking prohibitions in the workplace are enacted, there actually is a drop in the amount of smoking.

There is incentive -- more incentive for people to exercise what is a very difficult thing, we all know from personal experience, from families, what is a very difficult thing to actually quit, but there has been shown to be statistically an increase of quitting, less smoke, better health, less cost to the

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system.

Mr. President, I urge passage of the bill.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. Mr. President, most of the time when I stand up in the circle, I think most people know me as a conservative who likes to fight against more government intervention, but there are certain cases where there is such a clear and pressing need for government involvement, and secondhand smoke is one of those areas.

Senator Harris laid out a very compelling case that secondhand smoke is harmful to people in the workplace whether you work in an environment with four employees or five employees.

And current law has drawn an arbitrary line to say where smoking can and can't be allowed. And I think that this bill is crafted in such a way to preserve the right of individuals to smoke if people want to engage in that self-destructive behavior, they have that right, but to protect those of us who choose

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not to smoke.

And I believe that by allowing people to continue, of course, to smoke in your house if that's where you work, of course, your house is your domain, you should be allowed to smoke there.

But to say if you work in an office with other people present, that you should not be allowed to smoke in that office.

There is one question for legislative intent that I do want to establish to maintain some of these smoker rights, through you, Mr. President.

THE CHAIR:

Senator Harris, please prepare yourself.

SENATOR DEBICELLA:

And through you, Mr. President.

Current law, I believe, says that any employer may establish both smoking and nonsmoking areas for their employees.

This law does nothing to change that if an employer wishes to establish a smoking area on their premises; is that correct?

Through you, Mr. President.

THE CHAIR:

Senator Harris.

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SENATOR HARRIS:

Through you, Mr. President.

That is correct. If you look, lines 47 through 60, the language about the definition and setting up a smoking room is still in place.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. Mr. President.

One other thing is currently, you are also allowed to smoke outside, I believe, where secondhand smoke is less of an issue because you're not in a confined space.

Again, this bill does nothing to prohibit on any employer grounds folks from going outside to smoke should they choose to; is that correct?

Through you, Mr. President.

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

That is true.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

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Thank you, Mr. President.

I thank Senator Harris for those answers clarifying questions to put them for legislative intent.

And again, Mr. President, I stand in favor of this bill. Secondhand smoke is not only a killer but a cost-driver in healthcare today. I believe we owe it to the citizens of Connecticut who choose not to smoke to ensure that we have smoke-free workplaces.

Thank you, Mr. President. And I urge passage of the bill.

THE CHAIR:

Thank you, Senator.

Senator Kane.

SENATOR KANE:

Thank you, Mr. President. Good afternoon.

THE CHAIR:

Good afternoon.

SENATOR KANE:

I'm going to set precedent here for myself today and say that I couldn't disagree with Senator Debicella more.

You know, President Reagan said that government should not protect us from ourselves, and I firmly

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believe in that. I don't think it's government's job to keep us healthy. I think it's our own job to stay healthy.

If you choose to smoke, you choose to smoke. If you choose to skydive, go skydiving. If you choose to drink, do whatever you want. That's up to you. That's what personal freedoms are about, and that's what this country was built upon.

I don't smoke, but I have an employee at my business who does, so I was teasing him this morning about it, because I don't like the smoke. I don't like it. It -- you know, it actually bothers me. I don't appreciate it.

But it is my right as an employer to either allow him to smoke or not allow him to smoke. Maybe I keep him on because he's a good employee or maybe I fire him because I don't like the smoke that very much. Maybe he comes in and says, hey, look, I want to smoke, and I say no, he can find employment elsewhere.

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

THE CHAIR:

Senator Harris.

SENATOR KANE:

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Thank you, Mr. President.

Senator Harris, I bring this up because I am a small business owner. I won't give myself a plug right now, but -- what's that?

But in all honesty, I am a small business owner. I have under five employees. And this bill is going to say to me that I cannot smoke in my business, a business that I created back in 1994, a business that I developed, a business that I grew, a business that I provide employment to people, that I provide a service to the community.

If you came in my store and we were smoking, you have a choice to do business elsewhere.

Through you, Mr. President.

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

Through you, Mr. President.

First of all, from one small business owner, because I am one also, to another, my colleague in the Senate, you may have a choice. I can't tell you that in every single neighborhood in every single store with transportation issues, with other issues, that everybody has a choice, so I really

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don't know the answer to that.

Through you, Mr. President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Well, I used the example of my store, so I would say that yes, you do have a choice.

But I think people have a choice no matter what. See, that's the philosophical difference, I guess, that the government, the State of Connecticut, is telling you, me, other small business owners around the room or in the building, that they can't smoke, but --

And I apologize, I really don't have anymore questions for Senator Harris. I just want to make a further point that, you know, it is, again, not the role of government to decide these things. It is up to you. It is up to me. It is up to our employees. It is up to the individuals who have freedoms and rights to make the choices they wish for their own lives.

I don't believe that we should be mandating who can do what with their personal freedoms. So for that reason, I will be in opposition to this bill.

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Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Will you remark further?

Senator Kissel.

SENATOR KISSEL:

Good afternoon, Mr. President. You look great up there.

THE CHAIR:

Thank you. Thank you, Senator.

SENATOR KISSEL:

I rise to associate myself with the remarks expressed by Senator Kane and little different approach as well.

Clearly over the last several years as we face difficult recessionary times and revenue shortfalls, we've relied on the cigarette tax in particular and taxing other tobacco products to help raise revenues, and I have to say that when I --

And I will freely acknowledge that tobacco products, and especially cigarettes, are incredibly dangerous to oneself. There's no two ways about that. It's an unusual product in that we allow it, but even unlike alcohol, which if you talk to physicians, in moderation it will not have

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necessarily an ill effect on one's health, I have yet to see the study that says cigarettes even in moderation won't pose a problem.

It's a little bit of, you know, playing roulette. Certainly there's lots of folks that smoke their entire lifetime, and they can be 100 years old and it doesn't affect them.

But I think that clearly there's so many chemicals involved in tobacco products that when you inhale them, an awful lot of studies have indicated that sooner rather than later it's going to have some form of deleterious effect on oneself, even if it just makes you short of breath.

But we, as a state government, sort of want it both ways, and I think the federal government wants it both ways as well.

And when you go out there and I talk to my constituents who are smokers, they really feel like they get kicked coming and going.

You know, the tax continues to go up. Back when I was a kid, cigarettes were like a \$1.35 a pack. I don't even know what they are right now. It's probably like \$7 for a pack of cigarettes.

And at the same time, I see these poor people

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out in the middle of January on a street corner shivering because there's no place for them to smoke inside a building.

And so I think, you know, as we move down this path in trying to help people make good choices, by just having outright bans and forcing people more and more to either have a business create some sort of smoking zone in a building and they have to go outside, this is New England, it's not Hawaii, you know, I'm waiting for the study that says if there's not one of these smoking areas, you're forcing someone to do something that's legal, forcing us to go out on the street and maybe get pneumonia because we smoke.

I mean, who know what's -- very interesting things happen historically.

So I guess the point I'm -- I'm making is this: I really see a disconnect between our drive to increase revenues and our -- and our inability to wean ourselves off of taxing tobacco products, and in particular cigarette tax, and our desire to force folks to have less and less legal, lawful areas to smoke an otherwise legal product.

And my guess is that if at the end of the day -- and I -- that's a hackney phrase, and I'm sorry I used

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it, but if ultimately we make it so that smokers have no place to go, we're going to have to be honest with ourselves as a state, and we, ourselves, should wear ourselves off that tobacco tax.

And as soon as we can do that, then I guess we would have the moral high ground to say and now we're going to outlaw cigarettes.

But as long as we're depending on that revenue, I think we should at least be somewhat sensitive to the folks that are paying that revenue and engaging in a behavior that otherwise is lawful in the State of Connecticut.

And for that reason, Mr. President, at this time I will be voting no on this bill.

Thank you, sir.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Handley.

SENATOR HANDLEY:

Thank you, Mr. President.

I rise in support of this bill as the former chair of Public Health and as a long-term member of the Human Services Committee watching the costs of

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healthcare in the State of Connecticut rise and being very clear that much of it is related or much much of it or -- much of it is related to smoking and the results of smoking, I think this is an important thing.

What we're talking about here is essentially secondary smoke, and it is secondary smoke that we have increasingly understood to be very dangerous for folks who are in the neighborhood of a smoker.

This is what has caused those curious situations where groups of people, whole families, have developed diseases when only one member of the family has -- has been smoking.

I think we have to understand that when we live in a community, we don't live totally in isolation. And just as we require people to learn how to drive, as we require that people drive under certain circumstances and at certain speeds and in certain ways in order to protect themselves and the lives of other folks; and as we require vaccinations for children in order to not only protect the health of the child but the health of the children and the adults around the child, this is perfectly in keeping with our understanding of the public health role of

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the -- of the state, and I support it with much enthusiasm.

I thank the Chair for his work.

THE CHAIR:

Thank you, Senator Handley.

Will you remark further?

Senator LeBeau.

SENATOR LeBEAU:

Thank you, Mr. President.

Mr. President, I'd like to pose a question to the proponent of the bill.

THE CHAIR:

Senator Harris, please prepare yourself.

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

I'd like to -- Senator Harris, if you would, could you tell me what the current regulations are, overview about what smoking --

I just want to get clarification on this, what the current regulations are for businesses regarding smoking and what is currently prohibited and whether there's any, in a sense, outs for that under the current regulations.

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THE CHAIR:

Senator Harris.

SENATOR HARRIS:

Through you, Mr. President.

Yes. Under current law, any business with five or more employees is prohibited to have smoking in the workplace.

However, under current law, an employer may designate one or more smoking rooms to enable his or her employees to be able to smoke.

So this law, all it does is it brings that cutoff point down from five. So say again you work in a business now with five employees. There's no smoking allowed except for in a designated smoking room. But if you happen to be unlucky for whatever reason to be working in a place with one fewer employee, with four employees, then you could be exposed to the dangers of that deadly secondhand smoke.

When we change this law, if you're at four employees, three employees, two employees or one employee, smoking will be prohibited. But you will still be allowed as an employer to designate a smoking room.

So in Senator Kane's example when he said we were

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taking away his rights, not true, because he still would have the ability under law to designate a smoking room and allow that employee that he talked about to smoke.

And I just also want to say about this, too, because we do go into this thinking very seriously about the rights of people, and there's been some discussion about what government should and shouldn't do, but the reality is that we often regulate dangerous activity. We allow people to have guns. That's legal --

THE CHAIR: E

Senator Looney, for what purpose do you rise?

SENATOR LOONEY:

(Inaudible) Interruption, Mr. President, but we do have the UConn men's basketball and football teams waiting in the hallway to come in, so I would ask that this item be just passed temporarily and we can resume after Husky Day.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

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(Senator Williams of the 29th in the Chair.)

THE CHAIR:

The Senate will stand at ease. I want to thank Senator Bob Duff. As he said, he got to do all the work and now I get to do the fun stuff.

I would like to introduce at this time the UConn football team for the 2010 season. Let's give them a nice welcome from the State Senate.

This past season, the UConn football team continued their proud winning tradition with an eight and five record overall, and also a victory over South Carolina in the Papa John's bowl game, so we congratulate them.

And now it gives me some great pleasure to introduce some of other senators who will introduce the players.

First of all, Senator Andrea Stillman.

SENATOR STILLMAN:

Thank you, Mr. President, for the purpose of an introduction.

THE CHAIR:

Please proceed.

SENATOR STILLMAN:

Thank you, sir.

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It's my pleasure to introduce a senior offensive guard, captain, who lives in Waterford, and his name is Zach Hurd, and I welcome him and all the members of the team.

Thank you so much.

THE CHAIR:

Senator Andrew Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

There's one town in Connecticut that seems to be producing more than its fair share of leaders these days, and that would be the Town of Brookfield. Not only does our Governor call Brookfield home, but co-captain Scott Lutrus is also from Brookfield.

Welcome, Scott. Thank you.

Thank you, Mr. President.

THE CHAIR:

Senator Jonathan Harris.

SENATOR HARRIS:

Thank you, Mr. President. I'm behind you guys.

Congratulations to you all. Welcome to the Capitol. It is my great pleasure to introduce from

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the great Town of Burlington senior long snapper Derek Chard.

Mr. President, I might also add that Derek is a cousin of my stepson Spencer, too, so it's a special honor.

THE CHAIR:

Thank you very much, Senator Harris.

Senator Tony Guglielmo.

SENATOR GUGLIELMO:

Thank you, Mr. President.

It gives me great pride as a former UConn player myself, as Senator Crisco, and I'm going to take a little liberty for a few seconds.

You guys have given us a great deal of pride, those of us who have been associated with the program. You came -- this program came along so much faster than most of us thought possible, and the win at Notre Dame was absolutely unbelievable.

Of course we had to win the game three times after two bad calls, but you guys hung in there and won it the third time for us.

And I just think it was a -- and then of course the South Carolina game where you totally dominated. It was a thrill for those of us who are

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close to the program.

And I have the great pleasure to introduce co-captain Anthony Sherman. Anthony got one of the phantom holding calls I was talking about. And then also Bret Manning.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Guglielmo.

Senator Joe Crisco.

SENATOR CRISCO:

Thank you, Mr. President.

As a former offensive guard, things have changed a little bit since then. They really have.

THE CHAIR:

Stand up, Senator Crisco.

UNIDENTIFIED SPEAKER:

(Inaudible.) See the difference between then and now.

SENATOR CRISCO:

Well, the difference, President, he hasn't served in the General Assembly for 18 years,

But it is a great honor to welcome Mat Olivier and -- from Massachusetts, and quarterback Zach

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Frazer from Pennsylvania.

And we just want you all to know that -- how proud we are and what a standard you set for all the graduate alumni in the State of Connecticut. And I hope, as I have experienced because of football, you will gain -- you will gain an awful lot in the future years.

And whatever I have achieved, I have to attribute to former coach Bob Ingalls and the University of Connecticut football team.

Thank you, sir.

THE CHAIR:

Thank you, Senator Crisco.

Senator Len Fasano.

SENATOR FASANO:

Thank you, Mr. President.

I want to congratulate the UConn players on a terrific season. My son is a freshman at UK, so the SEC. I'm a little partisan.

But you guys had a great year. What Senator Crisco didn't tell you, he played guard on midget football. It was a whole different league entirely.

I would like to say it was a pleasure watching

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you guys. You guys played with a lot of heart. Being an ex-football player myself, I truly enjoyed the spirit that you had on the team and the way you went out every single Saturday.

I want to introduce to the circle co-captain Kendall Reyes, if you could step forward. And Alex Polito.

Congratulations once again.

THE CHAIR:

Thank you, Senator Fasano.

You know, in just a second, we'll get to Head Coach Randy Edsall, but he has some folks who work with him who do a tremendous job and contribute to the winning tradition, and it gives me great pleasure to introduce Jon Wholley, coach for the tight ends. And former UConn player from Southington, Darrell Perkins, coach for the defensive backs.

Now, the assistant coaches and the players do a tremendous job on the field and off to contribute to our pride in their winning tradition. But there is one man that I would daresay deserves a tremendous amount of credit for taking this new program and putting it front and center not only for Connecticut but for the entire country when it comes to a

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tremendous football program, and that man is here with us today, and it gives me great pleasure to introduce Randy Edsall, head coach of UConn's football team.

COACH RANDY EDSALL:

It's a pleasure to be here. I always like to come down here because I can get the guys to clean up for a day. They dress up pretty well.

But again, it is special to come down here, you know, each and every year to be with you, because, again, we really appreciate the support that we get here in the state. And really, as I've said before, people in this room are the ones who've really made it all possible.

And we're excited about this season. We have 16 starters coming back. We know we got a lot of work to do. Just don't tell these guys too many good things, because then it just makes my job harder to beat them down like, you know, Senator Crisco, you know, 18 years beating him down, he's gotten smaller. I don't want these guys getting much smaller, beating them down.

But I tell you, they've got their heads on straight. We just got finished with spring practice last Saturday, and I thought those 15 days

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went very, very well, and we're very eagerly awaiting the season.

And we know we have things that we have to go through this summer and pre-season camp, and then we're really looking forward to getting the season started out at Michigan on September the 4th.

And, you know, we have a very tough schedule, but one that we feel that if we can stay healthy and do the right things, there's going to be plenty of victories in that schedule this year.

And again, we thank you for your support. And I know this, that these guys are going to work hard along with their teammates to, you know, continue to make our program a winner and even make it bigger and better, and to accomplish that goal to win a Big East Championship outright and get to that BCS Bowl.

So thank you, and thank you for having us.

THE CHAIR:

Thanks again, and congratulations on your season.

The Senate will continue to stand at ease, and we are waiting now for the UConn men's basketball team. And as soon as they get here, we will

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commence with that ceremony.

THE CHAIR:

Will the Senate please rise and welcome the UConn men's basketball team.

This past season, the UConn men's basketball team continued their own winning tradition with a 17 and 15 record. Coach Jim Calhoun could not be with us today, but, you know, I wanted to mention, as we all know, he had his own battles for his own personal health this year, and our prayers throughout the season were with him.

And even though he's not with us today, I want to recognize him as not only the coach of the UConn men's basketball team, but one of the greatest coaches of all time in college basketball.

Could we have a round of applause for Coach Calhoun.

And now, to introduce the great players and the other coaches for the basketball team, I'm going to call on a couple of senators in the circle, and the first is Senator Mary Ann Handley.

SENATOR HANDLEY:

Mr. President, I'm very happy to welcome -- you guys can't see me because you're all so tall

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and I'm just peeking through here.

Anyway, I want to welcome the -- I think sophomore -- sorry, I don't have my notes -- Kenny Burton, anyway, from Bolton -- Kenny Barton from Bolton, who probably is the guy who lives the closest to campus of anybody on the team, and I don't --

Where is Kenny? I'd like to say hi. Hi, Kenny.

And then -- and then also, Jonathan Mandeldove, who's here from Georgia, a little bit further away, although I guess you don't win the traveling prize on this team.

Anyway, welcome very much to the Senate.

THE CHAIR:

Senator John Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

Guys, I'm over here. I'm short, too. You guys aren't going to be able to see me.

Delighted to be a UConn alum, centennial class of 1981, and then was happy to get another degree probably about four or five years ago.

And I have two great gentlemen I'd like to introduce.

The first one, he plays center, he's a junior,

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from Lagos, Nigeria, let's give it up for Charles Okwandu.

THE CHAIR:

Senator D'Ambrosio -- I mean Senator Kissel, you may proceed.

SENATOR KISSEL:

Okay. And he's a forward. He's a sophomore. From Denver, Colorado, Ben Stewart.

Congratulations, guy, awesome.

Thank you very much, Mr. President

THE CHAIR:

Thank you very much, Senator ~~Tom~~ Kissel.

Senator Tom Gaffey.

SENATOR GAFFEY:

Hey, guys. Thank you, Mr. President. Hi, Coach, how are you?

Congratulations on a great season. I was sitting behind the bench at the West Virginia game, and I got to tell you something, that was one heck of a ball game, and you guys should be proud, because that's -- that's how you guys can play. I mean, you just played an excellent, excellent game that night, and it was one of the best basketball games I've seen in a long time.

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So congratulations on a great season.

I have the pleasure to introduce Jamaal Trice, Jamall, freshman guard, Number 13, just like me, Number 13, from California, Jamaal. Welcome.

And one of the greatest guards we've seen at UConn, Kemba Walker, Kemba Walker from the Bronx.

Congratulations.

THE CHAIR:

Thank you, Senator Gaffey.

Senator John McKinney, the republican leader.

SENATOR MCKINNEY:

Thank you, Mr. President.

I think the UConn men's basketball team has now been educated to what we in the republican caucus have had the pleasure of hearing from Senator Kissel for the last 18 years.

My guess is none of them now want to run to be a republican state senator. No, I'm just kidding.

It's always a great pleasure to have you guys and the coaches here with us, and obviously we wish Coach Calhoun our best.

And it is my privilege today to introduce two freshmen who will play a large role in the great future success of this basketball team. Alex

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Oriakhi from Lowell, Massachusetts. Alex. And
Darius Smith from Chicago, Illinois.

THE CHAIR:

Thank you, Senator McKinney.

Now our majority Leader, Senator Marty Looney.

SENATOR LOONEY:

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

I want to -- I want to welcome Coach Blaney
here, and he's had a great, great career in his own
right from Holy Cross on to UConn, and it's my
great pleasure to welcome two players who will be
an extremely important part of UConn's nucleus next
season for -- for a great year.

First, Jamal Coombs-McDaniel from Dorchester,
Massachusetts, an outside shooter who we're going
to count on next year to make a lot of -- a lot of
three-pointers.

And one of UConn's great international
players, Ater Majok, who we are counting on with
his great athleticism. His great athleticism will
contribute so much in both scoring and rebounding
and defense next year to UConn.

So we're all excited about the prospects of

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what the 2010-2011 season will bring, and
congratulations to all.

THE CHAIR:

Thank you, Senator Looney. And now it gives
me great pleasure to introduce the assistant coach
of the basketball team, Patrick Sellers. The head
manager, Jordan Rich. And the manager, Dave
Sedich.

And now I'd like to invite to the podium to
say a few words the associate head coach of the
men's basketball team, George Blaney.

ASSOCIATE HEAD COACH GEORGE BLANEY:

Thanks very much. Always a pleasure to be
here.

Coach Calhoun is -- first of all, he's fine.
He's very healthy. He's doing great. Last --
yesterday and last night were the last nights of
recruiting. It now becomes a dead period.

So he was out in California and is on his way
back. I believe he's -- I believe he's back now,
but he just wasn't able to get here from -- from
the trip.

So we were recruiting -- we're still
looking -- we have signed five players for next

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year, and we're still looking for one or two more, but the nucleus is right here of a team that can be really, really good.

I kind of got a kick out of watching the football team walk out and looking at our guys. Our guys are this way and their guys are this way, and it's really a contrast in athletes, and it's always fun to watch the difference and then how -- what good friends these guys all are both with the men's team -- with the football team and with the women's basketball team, too.

We had a very strange year. We were -- we were a really, really good team that didn't win enough games. And, by the way, we won 18 games, not 17.

When you -- most teams in the country would be really, really happy with 18 wins. Coach Calhoun has had such an excellence of teams over the years that he's been here. In fact, someone did a -- did research the other day, and he has averaged 25 wins a year for the last 23 years, which is a remarkable -- I think there's only four teams in the country that have been able to do that over that course of time.

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So to win 18, we were really disappointed. And to beat Texas when they were number one, to beat West Virginia, to beat Villanova, to beat the teams that we beat, we knew we were good. And these guys knew they were good. But for some reason, we just were not able to sustain it, and that's what we're really working hard at right now.

They're -- each one of the players are doing individual workouts every day, and they're in the weight room every day and on top of their academic duties, too.

So Coach and I promise you that it won't be 18 next year, that we're going to have another kind of year that you all have come to expect from us and the kind of year that we all expect of ourselves.

So again, we thank you. There are -- in my mind, there are three states in the country where basketball is a religion: Indiana, Kentucky and Connecticut. And you guys make it so much fun to play here, it -- you know, all of these guys, wherever they go in the state, they're recognized. Everybody talks to them. Everybody's nice to them.

Even when we don't have the kind of year that we'd like to have, everyone is really -- is really

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great to us.

And the fact that you put this on for us every year is spectacular, and we appreciate it greatly and want to get back to showing you the kind of team that we will be next year.

Thanks very much.

THE CHAIR:

So, again, congratulations to the men's basketball team.

And the Senate will continue to stand at ease and await the women's basketball team. Thanks very much.

THE CHAIR:

If the Senators and guests can please direct their attention, we would like to welcome and give a very warm welcome to the UConn women's basketball team and the national champions.

You know, as we were awaiting the team, I was talking with a few folks, and we were talking about the margin of victory of some of the games this season and how you could just sort of sit back and almost take things for granted, and it kind of reminded people, well, of the NASA program after we put somebody on the moon and people weren't even

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paying attention when we were still doing tremendous things and sending folks to the moon. It was just taken for granted.

And then there was the Stanford game. And that was sort of like Apollo 13. There were some problems and malfunctions in the first half, and the real question was, would the UConn women's basketball team be able to bring it home?

And something happened at half time, something happened, because they brought it home once again, and that's why they are the national champions.

So we won't take it for granted, and that's why we are so pleased that you are here today so that we can honor you. And there are a number of senators that will introduce the players and staff here today.

And first I'd like to turn to Senator Andrew Maynard.

SENATOR MAYNARD:

Thank you, Mr. President.

I'm delighted to have the opportunity to introduce and to welcome back again this year one of my old friends and a girl I knew since she was this tall, Heather Buck.

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Heather's mom and I served in local government down in Stonington together. And also with Heather, from my hometown of Stonington, Jacquie Fernandes. Jacquie.

THE CHAIR:

Thank you, Senator Maynard.

Senator Eileen Daily.

SENATOR DAILY:

Thank you, Mr. President.

And I'm thrilled to be able to introduce two beautiful women that Westbrook wants to adopt, Tina Charles and Lorin Dixon.

THE CHAIR:

Thank you, Senator Daily.

Senator Toni Harp.

SENATOR HARP:

Thank you very much.

And I am pleased and delighted to introduce Caroline Doty and Kalana Greene.

THE CHAIR:

Thank you, Senator Harp.

And now our republican leader, Senator John McKinney.

SENATOR MCKINNEY:

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Thank you, Mr. President.

Ladies, congratulations and another fantastic year. I'd have to say that the most amazing thing I saw come out of San Antonio was the fact that Coach Auriemma actually did that halftime interview.

I have to confess that I actually turned the TV off for about 20 minutes after that halftime interview and turned it back on and you were up again, so everything was all great in the world.

What a great game you played, and it is a great pleasure to introduce two terrific players. First, Number 3, Tiffany Hayes. And Number 34 freshman with a great future, Kelly Faris.

THE CHAIR:

Thank you, Senator McKinney.

And now our majority leader, Senator Marty Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, it's my great pleasure to first introduce two of UConn's graduating seniors this year, two players who have meant a great deal to both UConn and to women's basketball for the last

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four years

First, Meghan Gardler. As we know, Meghan's dad was Coach Auriemma's high school basketball coach. Of course that had nothing to do with why she came to UConn, I imagine.

And also Kaili McLaren, who has also had a wonderful career at UConn the last four years.

And finally, it gives me the great pleasure to introduce Maya Moore, one of the great legends of UConn women's basketball. And Maya, of course, next year she will have an opportunity to join Diana Terasi's class of 2004 as three-time national champions, and we are looking forward to that as well.

THE CHAIR:

Thank you, Senator Looney.

And now it gives me great pleasure to introduce the director of the women's basketball operations for UConn, Jack Eisenmann. Assistant coach, Marisa Moseley, assistant coach and former player, Shea Ralph. And what would we do without Associate Head Coach Chris Dailey?

The next individual needs no introduction. He is a legend in the State of Connecticut and across the

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country when it comes to women's basketball. I would invite to the podium at this time Geno Auriemma.

COACH GENO AURIEMMA:

Thank you, everybody.

You know, it's -- you're absolutely right, I'm not sure that if it wasn't Rebecca that I would have done the interview, because I really didn't know what to say, you know. And you watch a team score 12 points, it's like probably watching C-SPAN or watching politicians talk, you know?

After about 20 minutes, you just are speechless, you know? You don't know what to say.

But fortunately, they -- they sat in the locker room, and they knew exactly what they needed to do, and I think that's what ultimately came to define them.

All through the season it appeared that they could make it look so easy, that sometimes you forget how difficult it can be and how many things can go wrong. And we never had the opportunity to -- to overcome anything and to show everybody what we're made of and what's really deep inside of us.

And that second half I thought was a great

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opportunity for these players to -- to really show their true selves, something that has been there all along but never had the opportunity to come out.

And I couldn't have been more prouder of them and couldn't have been more excited for them, because it was -- it was better than if we had won by 30 and they just walked off the court feeling like ho-hum.

The emotions they had after that game were true and they were real and it was raw, and that's what you want in a national championship game. You want that kind of feeling when the emotions end.

So thank you for inviting us over here. It's always a great pleasure for us to come and see you. And thank you for everything that you do and are going to do.

And it's -- see the same faces here year after year. I don't know whether that's good or bad, but it's -- it's a pleasure to -- to get to know you over all these years, and that means we've been here a lot, and that's a good thing. And hopefully we'll get a chance to come back as champions next year and see you all again.

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Thank you very much.

THE CHAIR:

All right, I'd like everyone in the gallery up on your feet. One last round of applause for the national champions.

Thank you very much. You make us very proud.

(Senator Fedele in the Chair.)

THE CHAIR:

The Senate will come back to order.

Mr. Clerk, could you please call the bill again that we had PT'd? And we'll have Senator Harris call it, bring it back out.

THE CLERK:

Returning the call of the calendar. Calendar page 20, Calendar Number 111, File Number 129, substitute Senate Bill 245, AN ACT CONCERNING SMOKING IN THE WORKPLACES, Favorable Report of Committees on Public Health and Labor and Public Employees.

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

Thank you, Mr. President. I appreciate that.

Just to kind of pick up where we left off, very

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quickly, and wrap up, Senator LeBeau had asked me a question in response to some -- some important questions raised by Senator Kane as far as depriving someone of their rights to -- to allow an employee to smoke. And what we clarified for the record was that under current law, there is the ability for an employer to set up -- to designate a smoking room. And under this change, there would still be that right to designate a smoking room.

I thank Senator LeBeau for his question.

THE CHAIR:

Thank you, sir.

Will you remark further on the bill?

Senator Kane.

SENATOR KANE:

Thank you, Mr. President. I appreciate it.

I guess I am going for a second time, so I'll keep my remarks brief.

THE CHAIR:

First time with me, though.

SENATOR KANE:

Perfect. I'll try two more, then.

Through you, a couple of questions to the proponent of the bill, please.

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THE CHAIR:

Senator Harris.

SENATOR KANE:

Thank you, Mr. President.

You know, actually, Husky Day kind of gave me an opportunity to think about a few more questions that I may have missed earlier.

What is the penalty and/or fine for a business that does not go along with this bill or --

Through you, Mr. President.

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

Through you, Mr. President.

Husky Day allowed my desk to get a little bit unorganized here, and I do not, unfortunately, with all them putting stuff on my desk, I do not have that in front of you -- me, but I can talk to you about the enforcement at a future time.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Fair enough. Thank you, Mr. President. I'll move along.

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The other question I have is in regards to the smoking room you mentioned.

What is a smoking room?

Through you, Mr. President.

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

A smoking room, through you, Mr. President, is a room designated by an employer, separate room, which is not a normal work area, and there are certain ventilation requirements so that, again, consistent with the intent of current law, and consistent with the intent of what we're trying to do here, that nobody -- an innocent bystander, if you will -- is exposed to secondhand smoke, which not only has been shown to be deadly, but has had a tremendous cost to our healthcare system and to our taxpayers.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

I don't disagree with the secondhand smoke. I don't disagree with the health effects.

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Again, if you remember, my point has always been about the rights of individuals and not having the government infringe upon those rights.

As I said earlier, I'm not a smoker, but if you want to smoke or if someone else wants to smoke, have at it, you know?

This room requires ventilation, I think you said.

What does that mean? What kind of ventilation are we talking about?

Through you, Mr. President.

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

Through you, Mr. President.

There's a couple of different requirements which are changing that are actually standards adopted by the Commission of Labor pursuant to our statutes, by the Secretary of Labor of the United States and certain OSHA standards.

But in general, it is that air be exhausted directly to the outside by an exhaust fan, again, consistent with the idea of trying to eliminate secondhand smoke, and here's where I guess I think that I have an actual agreement with Senator Kane

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about the basic notion that government shouldn't interfere with personal rights.

Where that ends, though, is when those personal rights cause harm, even death, as we've seen statistically in this case and costs to others.

And it's not that we're taking away someone's right to smoke themselves. What is being regulated here, like we do in a lot of other contexts with dangerous activity, is the right that you don't possess to harm others, and that's where I think we have a little disagreement.

But I do agree with where you're coming from its root.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Well, the reason for my -- my question is this room, as you say, is going to be quite expensive for this business. I gave you my example earlier.

So during the public hearing process, during all this, was there any estimation of what this room may cost, what kind of expenditures are going to be inflicted upon these businesses to make it work?

You know, let's say you're in a 30-story

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high-rise and each floor has to do this. I mean, the costs can be incredible.

Through you, Mr. President.

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

Through you, Mr. President.

One of the things also working here, so we don't exaggerate what is actually happening, a lot of this is also already controlled by landlord-tenant law through leases.

So already because of the nature of most high-rises and ventilation systems, one, they might already be in place, and two, there are already prohibitions under many commercial leases that prohibit smoking and also might provide places for employees of businesses that lease that space to smoke.

So that being said, it's -- I cannot tell you exactly what it would cost, because there are a whole range of configurations, all the permutations of life, from a very simple situation where you might just need an exhaust fan like my grandmother had in her kitchen over her stove to situations where you might need

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ductwork and a lot of other things.

So you might range from, you know, \$100-plus, somewhere like that, perhaps to thousands of dollars as a one-time expense.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

I thank Senator Harris for his answers. I guess we'll have to agree to disagree, because in my mind, it will be quite a cost for any business.

a: I gave you my example earlier. That means now either I have to create a smoking room in my building, which would be, I believe, in the thousands of dollars, or I have to fire my employee because he's a smoker, or he has to go find another job, and he has a small child.

So -- or, actually, he can't work at all because he is a smoker and won't be able to smoke.

So this is -- this goes to the heart of it. And I do understand, again -- and I appreciate that, you know, smoking is bad for us, it is very dangerous. I agree with all of that. I am not a smoker, as I earlier said, but I do believe in personal freedoms

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and personal rights, and I do believe that this is a mandate that is unnecessary on our small businesses.

I'm a small business owner, as I mentioned. I pay a business entity tax. \$250 just for opening my doors. For no other reason but to open my door, I have to pay a \$250 tax.

Now what you're telling me is that I must build a smoking room or I must not allow my employees to smoke.

What's next? That's the problem with this. And I don't believe that the government should be involved in this situation, and I don't believe they should be telling us what we can or cannot do in the choice we make in our own lives.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Kane.

Will you remark further on the bill?

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

Earlier in the discussion, the proponent of the bill had mentioned that -- thinks smoking is decreasing, but that's not evidence by the only

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increase in the revenue stream that the State of Connecticut is receiving. That's the only revenue increase that's on target that was projected.

So I don't know if that means that either we have people smoking more or more people enjoying -- or not enjoying but forming that habit, because it's certainly in my opinion not an enjoyable habit.

I do have some concerns with the bill, and if I was a -- an owner of a small business, say, for example, a cellphone seller/installer -- and Senator Kane was too proud to say, but at 511 Wolcott Street in Waterbury, Connecticut, I'd have some concerns as well.

My point or actually my question is to Senator Harris, through you, Mr. President, is does this bill since it goes into a business facility change the carve-out that we had in current legislation as far as private clubs, say VFW halls or other institutions that currently have carte blanche to have smoking in their establishment?

Through you, Mr. President.

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

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Through you, Mr. President.

No, it doesn't. And just to bid a comment also to help educate my good friend Senator Witkos on the smoking issue and the quitting, I don't know what the trend has been in Connecticut over the past couple of years.

I do know through testimony nine studies were identified that showed that smoke-free laws were associated with rapid, sizable reductions in hospitalizations for certain smoke-related illnesses and diseases.

So that's what I was talking about, that by not allowing someone to smoke in a convenient way, it is another incentive to do something that we know is very difficult.

But again, even under this law, besides the smoking room that was described before, it doesn't, as was sort of suggested, I believe, by Senator Kane, it doesn't prevent someone from going outside and smoking.

This does not say you cannot do it anywhere. This is just regulating the place because of the harmful effect it has on innocent bystanders.

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Senator Witkos.

SENATOR WITKOS:

Thank you. As I -- Mr. President.

As I look through the bill -- and I didn't hear the answer to my question as far as a carve-out for private clubs, the VFWs, unless I just was reading the bill, I see where we talk about -- we took out the language that had the -- I guess there was a one-year or six-month -- six-month period in which the businesses could educate their patrons so they can comply with the no smoking.

But if the Senator could just repeat his answer, Mr. President?

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

Through you, Mr. President. I'm sorry if he either forgot or it was not clear.

It doesn't change any of the carve-outs. All it does is say it's not just for five or more employees. It is also for four or fewer employees. It covers all businesses and picks up the 75,000 people who are currently working in conditions just by the fact that there might be one or two fewer people in the

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workplace, they somehow are exposed to secondhand smoke when five or more are not.

This picks up 75,000 people in the State of Connecticut and protects them.

No other carve-outs are affected.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President. Through you to Senator Harris, if he could just point to the section of the bill that would allow smoking in a business facility, as what I had previously mentioned, that would allow that act to continue, because I just don't see that language in the bill.

Through you.

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

Through you, Mr. President.

I don't think that it's going to be in the bill, but it's going to be under existing law.

The bill as it's written only has the changes that we made to existing law, which are as follows:

One, as I said, going for smaller businesses, four

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down to one. And, of course, we've added -- because we are sensitive to the rights of smokers -- that since we did go down to fewer number of people, that this would not include an employer's home.

But all other pieces of the existing law remain in effect.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

We did make some major changes when we took out some language -- existing language in our current law, and the existing language said that as long as you posted it, you did what you could, that was practical to provide some kind of a ventilation system that would minimize the effect of smoking.

All that is out, and that's been replaced with a required ventilation system that has to meet OSHA standards and will be adopted through the Commissioner of Labor, United States Secretary of Labor, under his authority, or her authority, under the F -- the Federal Environmental Protection Agency.

So, Mr. President, through you, does the Senator

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have any idea as to what the cost of a system like this may be to a business that wants to allow their employees in a private business to continue the right to smoke?

Through you, Mr. President.

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

Through you, Mr. President.

First of all, they don't necessarily have to have any cost, because employees could go outside and smoke. And this does not prevent someone from exercising their right to smoke in an environment where they don't cause harm to innocent bystanders. So, one, there could be no costs.

They could be in the building also where they share space where there already is a designated smoking area and there are ventilation systems. So in that context, it could cost nothing.

They could be in a situation where you need some sort of an exhaust fan, which I described, which could be as simple, I believe, as the exhaust fan my grandmother used to have in her kitchen, just to ventilate air outside.

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As long as that were up to the standards, then that would probably not have a significant cost.

If it were in the midst of a large building in the center and ductwork had to be put in and it had to be a complicated situation, you could have more costs.

I don't know what the upward ends of that would be.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President. I thank the gentleman for his answers.

I think, ladies and gentlemen, it would be hard to justify that a -- a fan that was in someone's kitchen would be -- would meet the requirements of the FE -- the Federal Environmental Protection Agency and Secretary of Labor and Commissioner of Labor that would come in and make sure that it mitigates any type of smoke that's contained.

I've heard in the discussion on this bill that it protects the innocent bystander, but I say to you in a private building which an employer may have that may not see any public -- say it's a manufacturing shop and they just -- it's just the employees only and all

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the employees smoke and the employer makes the decision, well, they can smoke while they're doing their job, here's the state now stepping in saying, well, no, you are not allowed to have them smoke in this private shop where no customers come.

And instead it will force the employer, because we know smoking is addictive, to give breaks. That's going to slow production.

I'm not a -- an advocate -- I am an advocate for nonsmoking. Don't get me wrong. I supported the -- the ban a few years ago. I was on board for the no ~~smoking~~ smoking in casinos, because I think that's truly when we have the type of business where there's going to be a lot of innocent bystanders that may succumb to secondhand smoke.

But when we're pigeonholing this to a place of business that has one employee, you can't smoke in your place of business if you have one employee. Say it's a husband and wife team and they both smoke and they rent a space out and all they do is a call center or they work on a computer, to say that you're going to be banned from doing that --

But then we don't even know who's going to it enforce that. If somebody was to say, you know, where

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do I file complaint, I want to make a complaint, I went in and this business, they were smoking in the back, who do they complain to? Who is going to go enforce it?

I certainly hope they don't call 911, because I wouldn't know what to do.

I just -- I understand that the advocates for -- for purifying our air and trying to increase the no smoking, but when we're starting to get into one- and two-person business occupations, I'm sorry, Mr. President, I can't support the bill.

Thank you.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate Bill 245?

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

As a proponent of the bill, I just have a clarification, perhaps, through you, Mr. President.

THE CHAIR:

Senator Harris.

SENATOR FASANO:

Senator Harris, I missed -- I apologize,

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because I had to step outside the chamber.

Was it your opinion that if someone wanted to smoke in their office, if they put adequate ventilation in their office, they'd be able to smoke in their office?

Through you, Mr. President.

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

Through you, Mr. President.

No, they would have to designate a smoking room under the way the bill is currently drafted, just as under current law.

THE CHAIR:

Senator Fasano -- I'm sorry, Senator.

SENATOR FASANO:

Thank you, Mr. President.

Through you, Mr. President, with respect to the fan issue that Senator Witkos had brought up, can you just clarify that fan issue for me, the significance of the fan that could be installed?

Through you, Mr. President.

THE CHAIR:

Senator Harris.

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SENATOR HARRIS:

Through you, Mr. President.

What the bill provides for is simply that the smoking room shall be exhausted directly to the outside by an exhaust fan and that the air not be recirculated through.

Because a lot of the examples that are given where there's maybe one or two people in an office, in today's economy, a lot of those people are in shared office space.

So even though husband and wife might be separately in their office, the air from that office is circulated through the exhaust system, the HVAC, to other innocent people, bystanders, in other offices.

So here it's a requirement -- and there are some specific standards that change, some OSHA standards, some state standards, that would require a safety level in exhausting.

I know there's cost here and we're sensitive, and that's why we've tried to do some carve-outs.

But, you know, when you look at the costs to the system -- I said at the beginning, it is estimated that the costs of smoking are \$1.63 billion in the State of Connecticut. Four hundred thirty million of

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those are to taxpayers.

So the notion that somehow businesses -- that people are not bearing the brunt of cost of deadly secondhand smoke is just wrong.

The question is, where do we bear the cost? Do we do it on the wellness and prevention side? Do we keep people healthy, or do we pay on the back end to fight disease?

That's the question. That's what this bill tries to get at.

THE CHAIR: Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

I thank Senator Harris for the answers to the questions. And, you know, I appreciate the purpose of this bill, but I do go and come on the side of saying that there are certain costs -- I think we have a very good sort of smoking bill out there, that we remove smoke from areas, 75, 85, maybe even 90 percent.

We're not perfect in all regards, and my concern is it is a cost of business

You know, we have one of the best clean air standards, far exceeding federal guidelines, and I hate to go back and talk about Marlin Firearms, but

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that's the most recent example.

What they indicated that our -- our clean air bill that we passed is -- standards are higher, much, much higher than the federal standards. And what that requires are more fans, which require more capital, which require a larger electric bill. Electric rates in Connecticut are high, and all that compounds.

And I understand the good nature for which this is placed forward. There has to be a balance. I may not support the bill, but I thank Senator Harris for his comments.

Thank you, Mr. President

THE CHAIR:

Thank you, sir.

Will you remark further on Senate Bill 245?

Will you remark further on Senate Bill 245?

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

THE CLERK:

An 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

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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 Senate Bill 245.

Total Number Voting	35
Those Voting Yea	24
Those Voting Nay	1
Those Absent, Not Voting	1

THE CHAIR:

The bill passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, if the Clerk would call as the -- as the next two items, the first one would be calendar page 12, Calendar 387, Senate Bill 212, Veterans Committee. And the next bill after that, calendar page 19, Calendar 84, Senate Bill 118, from the Environmental Committee.

THE CHAIR:

Thank you, sir.