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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2010**

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1st, 2010, to be acted upon as indicated and that the agenda be incorporated by reference into the Senate journal and the Senate transcript.

THE CHAIR:

Mr. Clerk.

Oh, without objection.

SENATOR LOONEY:

And also, Mr. President, would move that the items on Senate Agenda Number 4 be immediately moved -
- to be printed on the calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, I have a number of additional items to mark and may have to then pause for a few moments to add a few others. But we may be skipping around the calendar a little bit. But I will be marking a couple of items go and then several consent items.

First of all, Mr. Cal -- Mr. President, on Calendar page 2, Calendar 188, Senate Bill 176 is marked go. And second is Calendar page 26, Calendar 138, Senate Bill 107 is marked go.

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And, Mr. President, then several items to place on the consent calendar and then we will be adding a few more, also.

Calendar page 24, Calendar 104, Senate Bill 45,
Mr. President, move to place that item on the consent
calendar.

THE CHAIR:

Is there objection?

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. Calendar page 25, Cal. 128, Senate Bill 330, move to place this item on the consent calendar.

THE CHAIR:

Hearing and seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. Also Calendar page 25, Cal 125, Senate Bill 316, move to place that item on the consent calendar.

THE CHAIR:

Is there objection?

Hearing and seeing no objection, so ordered.

SENATOR LOONEY:

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Thank you, Mr. President. Calendar page 31,
Calendar 212, Senate Bill 13, move to place on the
consent calendar.

THE CHAIR:

Is there objection?

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. Calendar page 31,
Calendar 213, Senate Bill 93 is marked go.

And, Mr. President, Calendar page 31, Calendar
214, Senate Bill 192 is marked go.

And, Mr. President, calendar-- another item for
the consent calendar, Mr. President, Calendar page 31,
Calendar 215, Senate Bill 254, Mr. President, move to
place that item on the consent calendar.

THE CHAIR:

Hearing and seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. And, Mr. President,
returning to Calendar page 1, Calendar 72, Senate Bill
95, Mr. President, that item is marked go.

And, Mr. President, if we might stand at ease for
a moment because there will be a few more consent

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calendar items that I need to verify their precise
calendar placement.

THE CHAIR:

Senate will stand at ease.

(Senate at ease.)

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, thank you. Thank you, Mr. President. I
apologize for the delay.

Mr. President, one item that was placed on
consent needs to be removed because it does need an
amendment. It should be marked go instead. That is
Calendar page 25, Calendar 125, Senate Bill 316 from
the Human Services Committee. It should be marked go.

In addition, Mr. President, another go item is
Calendar page 35, Calendar 277, Senate Bill 394 is
marked go.

And, Mr. President, several more items for the
consent calendar.

First, Calendar page 14, Calendar 472, House Bill
5539.

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Hearing and seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. Calendar page 23,
Calendar 68, Senate Bill 221 for consent.

THE CHAIR:

Hearing and seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. Calendar page -- an
item to be marked go -- Calendar page 29, Calendar
194, Senate Bill 412.

THE CHAIR:

Is that for go?

SENATOR LOONEY:

That is for go, Mr. President.

THE CHAIR:

Thank you, sir.

SENATOR LOONEY:

And, Mr. President, two more consent items,
Calendar page 32, Calendar 234, Senate Bill 167.

THE CHAIR:

Is there objection?

Hearing and seeing no objection, so ordered.

SENATOR LOONEY:

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And returning to the previous page, Mr.
President, Calendar page 31, Calendar 220, Senate Bill
325, also to be placed on the consent calendar.

THE CHAIR:

Is there objection?

Seeing none, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. And, Mr. President,
would also ask for suspension to take up the item from
Senate Agenda Number 3 under business from the House.
House Bills Favorably Reported, a substitute for House
Bill 5435.

THE CHAIR:

Is there objection?

Hearing and seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, if we
might now return to the calendar and call as the first
item marked go, Calendar page 2, Calendar 118, Senate
Bill 176.

THE CHAIR:

Mr. Clerk.

THE CLERK:

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Calendar page 2, Calendar 118, File Number 162, substitute for Senate Bill 176, AN ACT CONCERNING THE FILM TAX CREDIT, Favorably reported, the committee on Commerce. Clerk is in possession of amendments.

THE CHAIR:

Senator LeBeau.

SENATOR LEBEAU:

Good evening, Mr. President.

THE CHAIR:

Good evening, sir.

SENATOR LEBEAU:

I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

On acceptance and passage, will you remark?

SENATOR LEBEAU:

I would, Mr. President. The clerk has an amendment, LCO number 4661. May he call it and may I be allowed to summarize?

THE CHAIR:

Will the clerk please call the amendment?

THE CLERK:

LCO 4661 which has been designated Senate

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Amendment Schedule A is offered by Senator LeBeau of
3rd District.

THE CHAIR:

Senator LeBeau.

SENATOR LEBEAU:

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

THE CHAIR:

Thank you, sir. Please remark.

SENATOR LEBEAU:

Thank you. This is a strike all amendment, so
what we're doing is -- it takes a broad view and it
basically goes back to square one in terms of what
we're trying to do this year in the Commerce Committee
regarding the film tax credit.

And what we did in this bill is we tweaked the
bill after a lot of debate, after a lot of hearings.
We heard folks from the industry, from people who are
website developers, interactive websites and we did
the following things as a result with the strike all
amendment.

It repeals the bonus pay, stock options and other
similar compensation as eligible production expenses

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under the Film Production Tax Credit program.

It strikes the original language that would have removed interactive websites as an eligible entity to receive tax credits.

It eliminates the language that makes it a mandatory that at least 25 percent of the films made in Connecticut is filmed in a studio.

The amendment also makes it mandatory that companies expand at least 50 percent of post production costs within the state or spend at least a million dollars in post-production costs within Connecticut to be eligible for tax credits.

It also reduces from 50 to 25 percent the criteria that a company producing a film must conduct at least 50 percent of its principle photography days in Connecticut.

And finally, it changes the existing language to make capital leases mandatory under the film -- under the infrastructure part of the film tax credit bill, which makes capital leases mandatory, which will make the lessee take ownership of the property at the end of the lease, thus committing them to stay in Connecticut and not just to vacate once their lease

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expires and they have received their credit.

This bill has undergone a lot of discussion. It has -- we've really done a lot of investigation on the interactive websites. We had at one point decided to take them out of the bill or take them out of the program, but after having conversations with some of the biggest website producers, including ESPN, NBC, WWE, and seeing the jobs that are being produced by those industries we said, no, this is the right way to go. We're getting a reasonable return on our investment so we kept -- we put those back into the bill. So they will retain their position under current state law.

But we have tweaked the bill. By taking this -- repealing the bonus pay and stock options and other similar compensation under the compensation portion of the bill in terms of what's eligible for a tax credit, by tweaking that we'll be able to save 1.2 million dollars in credits.

So this bill does a lot of positive. It maintains and strengthens our tax credit program. It gets more bang for our dollars, more bang for our buck in terms of the tax credit program. And I recommend

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it to the members of the circle. Thank you, Mr.
President.

THE CHAIR:

Thank you, Senator.

On the amendment, will you remark further?

Senator Frantz.

SENATOR FRANTZ:

On the amendment, which is a terrific amendment, the underlying bill previous to hearing the amendment is a great one as well. The amendment further enhances the effectiveness of this law when it gets signed into such.

The digital film production, the movie business is a fabulous industry for the state of Connecticut. It is in some ways a perfect industry to have here within our borders. And the reason for that is that it typically includes a lot of wonderful, creative people. Salaries are high. We know that movies are not made the way they used to be in the 1920's and 30's where they'd bring out an 8 or a 16 millimeter camera and take lots and lots of takes.

What they do nowadays is they rely on computer technology and amazingly efficient and incredible

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software technology to come up with the scenes that go into movies that we know today.

We have some star companies here within Connecticut. Right in my district alone, in Stamford, Connecticut, we have NBC and a variety of other little, small studios that deal with, not only digital, but also some studio productions and talk shows as well, which are great cash cows to the city and wonderful for economic development.

We also have another shining star in the industry which is Blue Star Studios, which is a wonderful firm employing roughly 363, 370 digital filmmakers. They are wonderful people. They do a terrific job on their movies. They're highly paid. The equipment that you see when you walk into that particular building is beyond belief. It's like walking into Johnson Space Center, it's really incredible.

And what that means for the state of Connecticut is you have an industry that's creative, it's fully expandable, scalable. It's one that doesn't pollute, it's one that attracts young people to the state of Connecticut. Please recall that this is one of our greatest challenges here in Connecticut is retaining

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the young people here.

If you have an anchored industry, it's going to act as a magnet for younger people, particularly from some of the urban centers such as New York City, Boston, some of the other cities down the East Coast and perhaps even on the West Coast. And I can tell you a lot of people have moved from the West Coast to go work at Blue Sky Studios (sic). It's really the kind of magnet that you need. Not only that specific company, but the industry itself.

So I think it's a wonderful amendment, wonderful bill. It also brings in -- a wonderful characteristic of the industry, Mr. President, is that it brings in recurring revenue. Once you create a film and you put it out into the marketplace, if it's a particularly popular one, taking an old example of *The Graduate*, the residual revenues off of that particular movie are quite big and beneficial to the company that owns the rights to it, presumably the one that actually produced the movie. And if they happen to be located in Connecticut, that's a recurring revenue stream in the form of taxes to the state of Connecticut.

It's a win-win and I stand very much in favor of

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the amendment, however, I do have one question for
Senator LeBeau, through you, Mr. President.

THE CHAIR:

Senator LeBeau.

Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President. Senator LeBeau,
terrific work on this bill. I know you've worked
very, very hard on the issue, not just this amendment,
which will become the bill and the law down the road.
I know you've put many, many years into this and the
one question I have for you is that wherever there is
a savings to the state, there may possibly be a cost
or a deficiency for someone who's already joined the
program, meaning they've moved to the state, developed
some roots here, maybe a studio or whatever.

The fiscal note indicates that there's a 1.2
million dollar savings in tax credits, presumably
because they're not going to given. Is there any
specific company or -- during the hearings, because I
don't recall -- you may have had some conversations
with individuals where you may have gotten some push
back on this whole concept.

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THE CHAIR:

Senator LeBeau.

SENATOR LEBEAU:

Through you, Mr. President. The answer is no.
Let me go a little further into that.

This was -- one of the suggestions that we're looking at in terms of narrowing, in essence, what is -- what is essentially pay. Now, we already have some limitations on pay and by repealing bonus pay, stock options and other similar compensation, that was never intended to be part of the original bill. But there has been some people trying to push those things and that was not part -- what was considered to be part. Because those can go -- as you know, you can get a bonus and stock options, those things can go on forever and it would kind of lead to an unlimited tax credit because if you're a star in a movie and you've got a percentage you're going to get back or an option or a bonus or whatever, you could be getting paid 20 years from now and the state of Connecticut, under that scenario, could be liable for helping to repay the credit on that.

So -- but to be specific to your question,

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Senator, there has been no push back on this. I think people realize this is what -- and we're just clarifying the original intent of the bill. But it's going -- according to the film office, it's going to save 1. -- and the Office of Fiscal Analysis -- it's going to save us 1.2 million dollars.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. Through you, Mr. President. Thank you for that very satisfactory answer and I appreciate it very much.

I'd just like to summarize by saying this is a sleeper of an industry to most people in Connecticut. We're used to aerospace and defense and manufacturing and insurance and things of that sort. This is an amazing industry, an up and comer and if you have any doubts about that, go see Ice Age 3, a good Connecticut born, built and made product here and you will see exactly what I'm talking about. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

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Will you remark further? Senator LeBeau.

SENATOR LEBEAU:

Mr. President, just two brief comments.

I just want to thank Senator Frantz for his work on this bill. This has been a cooperative effort as virtually everything that's come through the Commerce committee this year, and I give Senator Frantz and Representative Alberts, along with my co-chairmen down in the house, Representative Berger, a lot of credit on this.

And I also want to say -- and your comments were right on in terms of the creative aspect and in terms of the kind of industries we want in Connecticut, this is right on.

And one point I did not make when I was doing the intro to this amendment which becomes the bill is that this will help post production in the state. And those who know about the film industry know that post production is where the big dollars are and where the highest skills are. You know, if you've seen Avatar, it's all -- the whole thing was done on a blue screen. And it's all X's and O's, 1's and 2's. It's all digital and it's all being done through computers and

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computer animation and a variety of different ways.
That's post production and that's a big portion of the
film.

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

THE CHAIR:

Thank you, Senator.

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

If not, I'll try your minds. All those in favor,
please signify by saying Aye.

SENATORS:

Aye.

THE CHAIR:

All opposed, nay. The ayes have it, Senate A is
adopted.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, I would
like to commend Senator LeBeau for all of his hard
work on this very important issue in terms of economic
development for our state. And would move to refer
the bill as amended to the committee on Finance,

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Revenue and Bonding.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. If the clerk would then call next, Calendar page 26, Calendar 138, Senate Bill 107.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calendar page 26, Calendar Number 138, File Number 189, substitute for Senate Bill 107, AN ACT ESTABLISHING A BRADLEY DEVELOPMENT ZONE, as amended by Senate Amendment Schedule A, Favorably Reported, Committees on Commerce, Transportation and Finance, Revenue and Bonding.

THE CHAIR:

Senator LeBeau.

SENATOR LEBEAU:

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

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On acceptance and passage, will you remark?

SENATOR LEBEAU:

Thank you, Mr. President. We've had this bill in front of us before, about a week ago, before it went to the Finance Committee. And very briefly, what the bill does is it helps to -- it attempts to create an enterprise zone or a development zone in the four towns that surround Bradley International Airport to help make Bradley International into a greater driver of -- a greater economic engine for the state of Connecticut.

What this bill will do, it will bring industry, manufacturing, airport related businesses to those towns to help create an even more vibrant economy in that areas.

Now, what the bill does is allows for tax credits for companies and for the municipalities. It gives -- it allows a tax abatement within specific census tracks which are part of the larger census blocks within those towns that have been designated in the bill. And those census tracks and blocks that have been designated within the bill and will allow the town -- the state to help reimburse those abatements,

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ultimately at a 40 percent of the total cost, helping to spur development in that area.

This is a crucial area for the state. This is a smart development. It's -- it -- we have the infrastructure there, we have the roads there, we have the airport there. This is going to be a great move by the state to do this.

I recommend the bill to the members of the Senate. I think you'll find that it's going to have a tremendous economic effect on Connecticut and particularly north central Connecticut. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President. I rise in favor of the bill, obviously, and it's a place that's near and dear to my heart. It's not just the airport, it's the surrounding area. It is a completely unique area. I now some of you have spent time up there. Some of you have actually used the airport and found out what a great airport it is.

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What you might not have seen up there if your sole intention to go up to Windsor Locks is to travel out of Bradley International Airport is that you've got a lot of infrastructure and you have a lot of some of the older industry facilities up in that area relating to aerospace and defense. On top of that you have some more recent development having to do with transportation logistics, depots and warehousing and the like. You also have some very high tech industries up there, particularly in photonics and related industries to that.

Now, one of the things that will always be controversial when an enterprise zone, or in this case, an airport development zone is set up is what are the other opportunities? Are there any opportunity costs in doing an airport development zone and there's no doubt that the argument may come up, well, what about the urban areas that don't already have an economic development zone in it? Shouldn't they be allowed to have some of the same benefits that are being offered here to the Windsor Locks and the surrounding towns in that area? And the answer is yes, it should be looked into. And the answer to that

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question or the opposite argument should be this:
should be that when you have an asset, especially in a smaller state like the state of Connecticut, you have seven large cities and a few other small or medium sized cities, should you not be looking at the areas that are going to give you the biggest bang for the buck? What's the return on investment here? What is -- what's the place going to look like in hopefully five to seven years? The answer is it has the potential to be a real shining star as opposed to a somewhat lackluster shining star at this particular point in terms of the economic development. The airport's the anchor up there, which is a bright, shining star and that is what brings the attention to the area.

Senator LeBeau has done an incredible job, not only on this particular initiative, but he's understood the potential of Bradley International Airport, Representative Berger has also. And there's another member in this chamber here, actually sitting in it right now who's had a very, very large role over many years in promoting Bradley International Airport as well as other economic development initiatives

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surrounding the airport, as well as on campus at the airport, and that's Senator Kissel. And so I want to thank him publicly for his fine work for that airport. It's made a huge difference. The whole idea of this is to create critical mass. The way this is structured, the way the tax incentives are on the books and would be in law, if this is signed into law. It will immediately receive a lot of attention and I believe wholeheartedly that what's going to happen is you will see a lot of companies inquiring about what it's going to be like there, both tax wise, geographically and they'll be very, very pleased. =
It's a very compelling set of opportunities as outlined in this particular bill.

So I stand in favor of it, Mr. President. I hope my colleagues will vote in favor of it.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President. I would like to associate myself with the remarks of Senator LeBeau

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and Senator Frantz, and ask them for their -- and thank them for their kind words and commend them for their leadership regarding this proposal. When people work together across party lines, good legislation can truly take flight. And this bill is a great example of that.

All of the towns that I represent, touching Bradley International Airport will benefit by this legislation; Suffield, Windsor Locks, where Bradley International Airport is primarily located; Windsor and East Granby.

= But the area surrounding the airport that will benefit extends farther than just those four towns that immediately are the subject of this legislation. All of north central Connecticut and indeed, all of Connecticut, will benefit by this legislation because, indeed, Bradley International Airport is a huge, a huge economic generator. And when we targeted one of our great assets, one of our crown jewels and try to enhance the area around it in a very significant and positive and targeted way, the net result will inevitably be more jobs, more opportunities and a better economy for Connecticut.

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My friends and colleagues here in the circle, Senator LeBeau, Senator Frantz, have pointed out the details of this bill. It's a development zone with targeted development. And I want to thank not only Senator Frantz, but in particular, Senator LeBeau, who has championed this bill year after year as chair of the Commerce Committee. Without his wisdom and far sightedness, this bill would not pass through our chamber this evening.

I want to leave you with this last thought. Ever since I was blessed to be a dad -- and I have two wonderful sons, Nathaniel, who's 14 and Tristan, who is six -- who today played in his second soccer game and scored his first goal, I'm very happy about that. But one of the things I always told them when they were little is how much do I love you. And they knew the answer because I had told them the answer over and over and over. They would say, "Dad, you love me as big as the sky."

And I just want to leave this circle with this. How many jobs can take wing at Bradley International Airport? That number is as big as the sky. There is no limit to the opportunities that we can leverage

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with our great international airport.

I strongly support this bill and I thank my
colleagues for moving it forward this evening. Thank
you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. Mr. President, I
stand, with all due respect to my colleagues,
reluctantly opposed to this bill. I actually agree
with the underlying philosophy of the bill, that
enterprise zones do have the ability to create jobs
through tax incentives.

My concern is that where we've seen enterprise
zones be successful in the past, it is typically been
in economically challenged areas where businesses
otherwise were not willing to come. Where I do not
believe they work is where we're trying to use an
incent that otherwise is not being used and trying to
incent that.

I actually, having dealt with airport issues in

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my own neck of the woods, do not believe that there is a "Build it and they will come" phenomenon. I don't believe that businesses naturally are going to flock around an airport simply because we have established this zone if they are already going there.

And so, Mr. President, I believe there is a fiscal note on this. There is a cost to this even though it's in the out years. And I do not believe, just based on principle that this is the right way we should be deploying enterprise zones throughout the state.

So I fully respect my colleagues, their intentions. I actually think the underlying philosophy of enterprise zones is right. I just think that this particular bill is not going to accomplish what we hope to accomplish. So thank you, Mr. President.

THE CHAIR:

Thank you, Sr.

Will you remark further?

Senator LeBeau.

SENATOR LEBEAU:

Just very briefly, Mr. President. I would like

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to thank the officials from the four towns that were involved; Suffield, East Granby, Windsor Locks -- and I'm missing one -- and Windsor -- and who were involved in the development of this. The Bradley board, members of the Bradley board were involved in this and former chairman of the Bradley board, Scott Frantz, Senator Frantz. We've had a lot of input on this. I respect Senator DeBicella's ideas on this. I obviously disagree with him, but I respect his ideas. And I want to thank everybody who has worked so hard on this bill. Thank you very much, Mr. President.

THE CHAIR:

Thank you, Senator.

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

If not, Mr. Clerk, please announce the pendency of the roll call vote.

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?

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THE CHAIR:

Have all members voted? Have all members
voted?

If all Senators have voted, please check
your votes to make sure it's accurately recorded.

Have all members voted?

Mr. Clerk, please announce the tally.

THE CLERK:

The motion is on passage of Senate Bill 107,
as amended.

Total number Voting	30
Those voting Yea	28
Those voting Nay	2
Those absent and not voting	6

THE CHAIR:

The bill passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President,
the next item, if the clerk call a bill that had
been previously marked for consent and then
marked go, Calendar page 25, Calendar 125, Senate
Bill 316.

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THE CHAIR:

Mr. Clerk.

THE CLERK:

Calendar page 25, Calendar Number 125, File Number 171, Substitute for Senate Bill 316, AN ACT ESTABLISHING A COMMISSION ON NONPROFIT HEALTH AND HUMAN SERVICES, Favorably Reported, Committees on Health and Human Services, Government Administration and Elections, and Public Health. Clerk is in possession of amendments.

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:

On acceptance and passage, will you remark?

SENATOR DOYLE:

Yes, thank you, Mr. President. What this bill does is create a commission on nonprofit health and human services that will look into the

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adequacy of the funding of our nonprofits and seek to find solutions to the money shortages over time.

Mr. President, the Clerk has an amendment, LCO 4981. May the clerk please call and I be allowed to summarize?

THE CHAIR:

Will the clerk please call the amendment?

THE CLERK:

LCO 4981, which will be designated Senate Amendment Schedule A. It's 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:

On adoption, will you remark?

SENATOR DOYLE:

Yes, thank you, Mr. President. This amendment simply adds a few members to it and actually extends out the report back dates from

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the commission. So I urge the chamber to approve
this amendment. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further on the amendment?

Will you remark further on the amendment,
Schedule A?

If not, try your minds. All those in favor
of the amendment, please signify by saying Aye.

SENATORS:

Aye.

THE CHAIR:

All those opposed, nay.

The ayes have it. Senate Amendment A is
adopted.

Will you remark further on the bill as
amended? Senator Doyle.

SENATOR DOYLE:

I move this bill to the consent calendar,
Mr. President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

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Thank you, Mr. President. I'm not rising in objection. I just wanted to get just an opportunity to speak on the bill real quick before we moved it to the consent calendar.

I do know that in committee, I did vote against it, but I know the language that you brought here today, Senator Doyle, fixes a lot of those questions that a number of us had, as well as the administration. So I will be voting in favor of the bill. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further on the bill as amended?

Senator Doyle.

SENATOR DOYLE:

Yes, Mr. President. I move this bill to the consent calendar.

THE CHAIR:

Is there objection to moving this bill as amended to the consent calendar?

Hearing and seeing no objection, so ordered.

Mr. Clerk -- oh, Mr. Majority Leader.

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SENATOR LOONEY:

Mr. President, thank you, Mr. President.
Since we are skipping around the calendar a
little bit, the next item, Mr. President, is
Calendar page 31, Calendar 213, Senate Bill 93.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calendar page 31, Cal Number 213, File
Numbers 288 and 652, substitute for Senate Bill
93, AN ACT CONCERNING REVISIONS TO THE INSURANCE
STATUTES, Favorably Reported, the Committee on
Insurance and Judiciary.

THE CHAIR:

Senator Crisco.

SENATOR CRISCO:

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

THE CHAIR:

On acceptance and passage, will you remark,
sir?

SENATOR CRISCO:

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Yes, Mr. President. The clerk has an amendment, LCO 4751. I request that it be called and I be given permission to summarize.

THE CHAIR:

Mr. Clerk, will you please call the amendment?

THE CLERK:

LCO 4751, which will be designated Senate Amendment Schedule A. It's offered by Senator Crisco of the 17th District.

THE CHAIR:

Senator Crisco.

SENATOR CRISCO:

Mr. President, I move for adoption.

THE CHAIR:

On adoption, will you remark?

SENATOR CRISCO:

Yes, Mr. President. Mr. President, this has basically four components, lines 1 to 35, incorporates language removed from an underlying bill by the Judiciary Committee and we worked on it and this was discussed with the chairman of the Judiciary committee. We strike lines 21, the

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reason, because of the Right Health Guaranty Association, that's not necessary.

Lines 37 through 53 allows a special -- individual special health care plan issued by HRA to differ from group plans with regards to pharmacy coverage because the premium has become just too high.

And from lines 54 to 126, we change -- changes were needed to limit provisions of another bill, House Bill 5090, as amended, just individual health insurance policies. And to comprehensive type policies such as basic hospital expense, basic medical/surgical expense, major medical expense, hospital medical serious corporation plans and health care center plans.

THE CHAIR:

Thank you, Senator.

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

If not, I'll try your minds. All those in favor of the amendment, please signify by saying Aye.

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Aye.

THE CHAIR:

All those opposed, nay.

The ayes have it, Senate Amendment A is adopted.

Senator Crisco.

SENATOR CRISCO:

Yes, Mr. President and members of the circle. This is what's known as the insurance department's technical bill. Unfortunately, last session, because of time constraints the bill was not taken up in the House. So basically we've gone almost two years without major technical revisions.

And there are something like 11 -- ten technical revisions and it's basically technical.

THE CHAIR:

Thank you, Senator. Will you remark further? Will you remark further on the bill as amended?

Senator Crisco.

SENATOR CRISCO:

If there's no objection, Mr. President, I'd

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ask that it be placed on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR CRISCO:

Thank you, sir.

THE CHAIR:

Thank you.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President,
the clerk would then call Calendar page 31,
Calendar 213, Senate Bill 93.

THE CHAIR:

Mr. Clerk.

SENATOR CRISCO:

We just did that.

THE CLERK:

We just did that. Mr. President, that bill
has been placed on the consent calendar.

THE CHAIR:

Thank you, Mr. Clerk.

Senator Looney.

SENATOR CRISCO:

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214.

SENATOR LOONEY:

Yes. Mr. President, I meant, pardon me.

Calendar page 31, Calendar 14, Senate Bill 192.

THE CHAIR:

Thank you.

Mr. Clerk.

THE CLERK:

Calendar Number 214, File Number 291, a
substitute for Senate Bill 192, AN ACT CONCERNING
LISTING OF ADVANCE PRACTICE REGISTERED NURSES IN
MANAGED CARE ORGANIZATIONS PROVIDER LISTINGS AND
PRIMARY CARE PROVIDER DESIGNATIONS, Favorably
Reported, Committee on Insurance and Public
Health.

THE CHAIR:

Senator Crisco.

SENATOR CRISCO:

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

THE CHAIR:

On acceptance, would you like to remark?

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SENATOR CRISCO:

Yes, Mr. President. Mr. President, the clerk has an amendment, LCO 4839. I request that it be called and I be given permission to summarize.

THE CHAIR:

Mr. Clerk, will you please call the amendment?

THE CLERK:

LCO 4839 to be designated as Senate
Amendment Schedule A as offered by Senator Crisco
of the 17th District.

THE CHAIR:

Senator Crisco.

SENATOR CRISCO:

Mr. President, I move for it's adoption.

THE CHAIR:

On adoption, will you remark?

SENATOR CRISCO:

Yes, Mr. President. Mr. President, basically, this clears up language that was a discussion point between the physicians and the APRN, that this states that the primary physician

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is the primary care provider.

THE CHAIR:

Thank you, Senātōr.

Will you remark? Will you remark further?

If not, I'll try your minds. All those in favor of the amendment, please signify by saying Aye.

SENATORS:

Aye.

THE CHAIR:

All those opposed, nay.

The ayes have it, Senate Amendment A is adopted.

Senator Crisco.

SENATOR CRISCO:

Mr. President, we all know from personal experience or through, you know, other family experiences what a major role nurses play in the health care of individuals. The advance practice registered nurses with more advanced degrees are just a group -- a group that just provides outstanding care.

What has happened is that when an insurance

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company has published a provider list for care, the APRN's were not listed. This bill, as amended, enables the APRN's to be listed as a provider and if someone wants to choose, they can select an APRN for care.

But this will give notification to the enrollee in the insurance plan that APRN's are available for care if the insured so desires.

THE CHAIR:

Thank you, Senator.

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

Senator Crisco.

SENATOR CRISCO:

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

THE CHAIR:

Seeing and hearing no objection, so ordered.

SENATOR CRISCO:

Thank you, sir.

THE CHAIR:

Senator Looney.

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SENATOR LOONEY:

Thank you, Mr. President. Mr. President,
The next item which was Calendar page 31, Calendar
215, that might be marked passed temporarily.

And the next go item, Mr. President, we
could go back to Calendar page 1, Calendar 72,
Senate Bill 95.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calendar page 1, Calendar Number 72, File
Number 40, Senate Bill 95, AN ACT PRESERVING GOOD
CAUSE FOR LATE FILING OF CERTAIN UNEMPLOYMENT
COMPENSATION APPEALS, Favorably Reported,
Committee on Labor.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

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

THE CHAIR:

On acceptance, passage and remark.

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SENATOR PRAGUE:

Mr. President, this is a bill from the department and it just codifies what they already do. If you have good cause for filing an appeal late, the department will let you file your appeal. And they already do this. It was thought that after 21 days you couldn't file an appeal, but you can, as long as there is good cause.

And in addition to that the clerk has an amendment, LCO Number 4448. Would he please call .. and I be allowed to summarize?

THE CHAIR:

Mr. Clerk, will you please call the amendment?

THE CLERK:

LCO 4448, which will e designated Senate Amendment Schedule A. it's offered by Senator Prague of the 19th District, et al.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Thank you, Mr. President. Mr. President,

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what this amendment does --

THE CHAIR:

Senator Prague, will you please move
adoption?

SENATOR PRAGUE:

Oh, I'm sorry. And thank you for reminding
me. I move adoption.

THE CHAIR:

Will you remark further?

SENATOR PRAGUE:

Thank you.

What this amendment does is to prevent
employers from being charged an additional amount
that they pay into the workers comp fund for an
employee who was discharged for the denial of a
special operator's permit.

If somebody works for an employer, for
instance, who has a trucking business, and then
gets arrested for drunk driving and loses the
privilege of getting a special operator's permit,
then the employer -- and he goes to collect
unemployment compensation -- then the employer
cannot be charged for this employee's

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unemployment comp.

I would like to yield to Senator Witkos who helped us draft this amendment.

THE CHAIR:

Senator Witkos, do you accept the yield?

SENATOR WITKOS:

Thank you, Mr. President, yes, I do.

I'd also like to thank Senator Prague for bringing this amendment forward. This has been before this chamber and this circle last year and it was on several bills, went downstairs, came back up, went back downstairs and unfortunately, we couldn't pass it. And by not passing that bill, we're really penalizing our employers because somebody that hasn't learned the first time and the second time they go out and they're convicted of DUI and they lose their job is operating a vehicle is a condition of their employment, the employer suffers because they have to fund more into the unemployment fund. And this will prevent that.

The individuals still collect unemployment out of the General Fund, but that specific

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employer, who's done no wrong, won't be charged
that additional charge.

I ask the Chamber's support of the amendment
and I thank Senator Prague for bringing it before
us today. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Senator Prague?

SENATOR PRAGUE:

Mr. President, if there are no more comments
or -- and there's no objection, I'd like to place
this on the consent calendar.

THE CHAIR:

First we have to vote on the amendment,
Madam.

SENATOR PRAGUE:

Thank you, Mr. President.

SENATOR LOONEY:

Mr. President. Mr. President, if we might -

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

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If we might stand at ease for just a moment?

THE CHAIR:

Senate will stand at ease.

(Senate at ease.)

THE CHAIR:

Senate will come back to order. Senator
Looney.

SENATOR LOONEY:

Thank you, Madam President (sic), again,
would yield to Senator Prague to proceed with the
bill -- with the amendment, rather,

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Thank you. Can we have a vote on the
amendment, Mr. President? A voice vote?

THE CHAIR:

Thank you, Senator.

All those in favor of adopting Senate
Amendment A, please signify by saying aye.

SENATORS:

Aye.

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THE CHAIR:

All those opposed, nay.

The ayes have it. Senate Amendment A is
adopted,

Senator Prague.

SENATOR PRAGUE:

Mr. President, I'd like to request that the
bill as amended be placed on the consent
calendar.

THE CHAIR:

Is there objection to placing the item on
the consent calendar?

Seeing and hearing no objection, so ordered.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President,
we're changing a marking, just to correct a
marking. Back on calendar page 31, Calendar SB254
Number 215, I believe had been placed on the
consent calendar, but that should be removed from
the consent calendar and marked passed
temporarily. That's Calendar page 31, Calendar
215, Senate Bill 254 to be marked passed

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temporarily rather than placed on the consent
calendar.

THE CHAIR:

Thank you, Senator.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, if
the clerk would next call Calendar page 35,
Calendar 277, Senate Bill 394

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calendar page 35, Calendar Number 277, File
Number 403, Substitute for Senate Bill 394, AN
ACT CONCERNING THE GOVERNANCE OF THE CONNECTICUT
RESOURCE RECOVERY AUTHORITY, Favorably Reported,
Committees on Planning and Development and
Government Administration and Elections.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Thank you, Mr. President. 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?

SENATOR PRAGUE:

Mr. President, the clerk has an amendment,
LCO 4669. Would he please call and I be allowed
to summarize?

THE CHAIR:

MR. Clerk.

THE CLERK:

LCO 4669, which has been designated Senate
Amendment Schedule A. It's offered by Senator
Prague of the 19th District.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Thank you, Mr. President. Mr. President,
this is -- I move adoption.

THE CHAIR:

Thank you, Senator, will you remark further?

SENATOR PRAGUE:

Thank you. Mr. President, this is a strike
all amendment. What this amendment does is it
mandates that any waste energy plant that is

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considering a new site for a landfill has to get written documentation from the Department of Environmental Protection that such a landfill is needed, is needed to meet the solid waste disposal needs of the state. Before they can even set foot on the property where they're proposing to put a new ash landfill, they have to get a written determination from DEP that such a landfill is needed.

This is critically important, Mr. President, to prevent waste energy companies to just go wherever they think they want to go to place a new landfill. Our environmental issues are critically important and I am hoping that this amendment will pass. Thank you.

THE CHAIR:

Thank you, Senator. Will you remark further? Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President. If I may just a question or two to the proponent of the amendment.

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Senator Prague.

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President. Through you to Senator Prague, is there anything in the bill or the amendment that you're offering which would negate any type of a local zoning ordinance?

Through you, Mr. President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Not to my -- excuse me. Through you, Mr. President, to Senator Witkos, there's nothing in the bill that references local zoning. Before local zoning even becomes involved, the waste energy company has to get a determination that such a new landfill is needed. Then the -- I would assume -- that the local zoning comes into place to determine whether it fits the local zoning requirements. But before they can do anything, before they step foot on the property, it has to be determined that there is a need for such a new disposal landfill.

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THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President. So just so I'm clear on this. So when a waste energy plant has determined that the current landfill that they're utilizing appears to reach capacity, then they need to contact -- was it DEP or DPH? Through you, Mr. Speaker.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Mr. President. This is a DEP issue. There was an incident in the past where CRRA decided they wanted to go into a town in eastern Connecticut, the town of Franklin. They had not gotten a permit indicating need. There is another landfill not far away. They were on the property doing testing and they -- with this kind of amendment in place, they would not be allowed to go on the property until the Department of Environmental Protection says, gives them written documentation that there is a

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need for such a facility.

Need is critically important. I want to make that very clear.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

I understand the need, but I just want to be clear, so when the energy plant assumes that it's nearing capacity, they apply to the DEP and they say, "We need you to come out and evaluate our landfill -- current location -- to determine that it's reached its maximum capacity." And if the DEP says it has not reached its maximum capacity, then they're not allowed to do anything. But if the DEP says that you have reached the maximum capacity, I guess, then they would sign off and they could go and look elsewhere? Through you, Mr. President.

SENATOR PRAGUE:

Through you, Mr. President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

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No, Senator Witkos, that is not the case with this amendment. You were right to the point where the DEP could evaluate the current disposal area that they're using and if they want to go to a particular area in another place, the DEP will evaluate whether it's needed or not, if there is another facility that they could use close by.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President. I understand the amendment now. Thank you.

THE CHAIR:

Thank you, Senator.

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

SENATOR PRAGUE:

Mr. President.

THE CHAIR:

All those in favor of Senate Amendment A, please signify by saying aye.

SENATORS:

Aye.

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THE CHAIR:

All those opposed, nay.

The ayes have it, Senate Amendment A is
adopted.

SENATOR PRAGUE:

Mr. President, if there's no objection, I
would ask --

THE CHAIR:

Senator, Senator Prague, we have to have
roll call vote on this.

SENATOR PRAGUE:

Okay.

THE CHAIR:

Mr. Clerk, please announce the pendency of
the roll call vote.

THE CLERK:

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

THE CHAIR:

Senator Harris.

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Have all Senators voted? Have all Senators
voted?

Have all Senators have voted? If all
Senators voted, please check the board to make
sure your votes are accurately recorded.

If all Senators have voted, Mr. Clerk,
please announce the tally.

THE CLERK:

The motion is on passage of Senate Bill 394,
as amended.

Total number Voting	30
Those voting Yea	27
Those voting Nay	3
Those absent and not voting	6

THE CHAIR:

Senate Bill 394 as amended passes.

Senator Looney.

SENATOR LOONEY:

Yes, Mr. President, thank you. Mr.
President, if the clerk would mark as the next go
item Calendar page 29, Calendar 194, Senate Bill
412.

THE CHAIR:

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Mr. Clerk.

THE CLERK:

Calendar page 29~~r~~? Calendar Number 194, File
Number 264, Substitute for Senate Bill 412, AN
ACT CONCERNING THE ENVIRONMENTAL IMPACT
EVALUATION PREPARED FOR A STATE OWNED AIRPORT
DEVELOPMENT PROJECT AND THE REQUIREMENTS FOR THE
PREPARATION, EVALUATION AND REVIEW OF
ENVIRONMENTAL IMPACT EVALUATIONS, Favorably
Reported, Committee on Transportation,
Environment, Planning and Development.

THE CHAIR:

Senator DeFronzo, good evening.

SENATOR DEFRONZO:

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, will you remark,
sir?

SENATOR DEFRONZO:

Thank you, Mr. President, before we discuss
the underlying bill, I'd like to call an

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amendment I believe is in the possession of the clerk, LCO 4973. I would ask that the amendment be called and I be given an opportunity to summarize.

THE CHAIR:

Senate, please be in order.

Okay. Mr. Clerk, please call the amendment.

THE CLERK:

The amendment is not in possession of the clerk.

SENATOR DEFRONZO:

Mr. President, may we stand at ease just for a moment until it arrives?

THE CHAIR:

Senate will stand at ease.

(Senate at ease.)

SENATOR DEFRONZO:

Mr. President, perhaps with --

THE CHAIR:

Senate will come back to order.

SENATOR DEFRONZO:

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- with your indulgence, I may go on and describe the bill and we'll call the amendment?

THE CHAIR:

Senator Looney.

SENATOR DEFRONZO:

May I proceed?

THE CHAIR:

Thank you, Mr. President. Mr. President, the underlying bill is an attempt to resolve a conflict between the Office of Policy and management and the Department of Transportation over an environmental impact-evaluation concerning implementation of a plan of development for Waterbury-Oxford Airport.

And this bill lays out the provisions by which that conflict can be resolved and it also sets up provisions to avoid such potential conflicts in the future. Mr. President, with the passage of this bill, the DOT will be relieved of the obligation of having to repeat the study. It will save approximately \$100,000 in additional costs, it will expedite the development of this site, which is entirely privately funded.

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And with that, Mr. President, I hope the amendment's arrived.

THE CHAIR:

Thank you, Senator.

Will you remark -- will you remark further, Senator DeFronzo.

SENATOR DEFRONZO:

Mr. President, I think -- do we have the amendment now, Mr. President?

THE CHAIR:

Senate will stand at ease.

(Senate at ease..)

THE CHAIR:

Senate will come back to order.

Mr. Clerk.

THE CLERK:

LCO 4973, which will be designated Senate Amendment Schedule A. It's offered by Senator Frantz (sic) of the 6th District.

THE CHAIR:

Senator DeFronzo.

SENATOR DEFRONZO:

Thank you, Mr. President. Mr. President, I

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move adoption of the amendment.

THE CHAIR:

On adoption, will you remark, sir?

SENATOR DEFRONZO:

Thank you, Mr. President. Mr. President, this amendment adds a time frame for a response to a reporting requirement in the underlying bill, and I would ask the chamber to approve the amendment.

THE CHAIR:

Thank you, sir.

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

If not, I'll try your minds. All those in favor of the amendment, please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

All those opposed, nay.

The ayes have it, Senate Amendment A is adopted.

SENATOR DEFRONZO:

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Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DEFRONZO:

Mr. President, if I might proceed.

Mr. President, Senator Kane has championed this bill for the last two years and has worked very hard on it, has worked diligently with the Transportation Committee and other committees of the chamber. And if I might yield to him, I'd like to do that, Mr. President.

THE CHAIR:

Senator Kane, do you accept the yield?

SENATOR KANE:

I do, Mr. President, thank you very much.

First of all, let me thank Senator DeFronzo and the Transportation Committee for all the help they have given us on this bill. I want to thank the Environment Committee as well. It went through three committees this year, all unanimously, I might add.

But, Mr. President, what this bill does is fix an ambiguity in the statutes in relation to

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environmental impact studies, especially in this case where it's a privately funded project on a state land, on a state owned property. So there's some existing regulations that talk about sponsoring agencies and their ability to hire contractors who perform these types of studies.

And the ambiguity comes in where these agencies do the hiring of the contractor or the developer does the hiring of the contractor. Our bill fixes that. So as they go forward, there won't be any uncertainty when these type of situation occur because, quite honestly, are very unique.

More importantly, what this does is help a 33 million dollar privately funded project go forward at the Oxford Airport as Senator DeFronzo stated. It also will help create 300 construction jobs as well as 300 permanent jobs after that.

There's just a great example of what kind of economic development we can have here in the state of Connecticut.

The biggest thing to happen with the bill as

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we talked to the environmental community, the Council of Environmental Quality for example, thoroughly vetted the existing study and to quote, said, "it was thorough and easy to understand." So the actual study was never in concern, never in question, it was performed at the utmost level.

And in addition to that, this bill has a positive fiscal note. It will actually save the state of Connecticut a hundred thousand dollars. So many times we have fiscal notes attached to bills, this one actually is in the positive nature.

So again, I just want to thank Senator DeFronzo for all his help in the Transportation Committee and I look forward to passage of the bill. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President. I rise in favor

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of this initiative. Oxford Airport is another jewel in the portfolio of assets in Connecticut. And the expansion that's going on there, although I know it's controversial to a degree with some parts of the community, is also a wonderful boon for economic development. And what's going to happen there is that it's going to attract some additional operators, and I will say this for the record, that these are operators who are keenly aware of noise issues having to do with aircraft. They are typically bringing in very modern aircraft that do not make a lot of noise. It's not the ideal industry, yes, it does pollute a little bit, but it's much, much better than it was many, many years ago.

So the initiative that's being taken place - - the initiative that is in place right now, the investment that is being made is fairly large. The number was just thrown out and I personally don't know of too many other projects or proposed projects in the state of Connecticut that are on the table at this point for consideration.

So your consideration tonight for this bill

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-- for this bill is most appreciated and I do hope you vote in favor of it. I applaud Senator Kane's hard work on this. I know he's been at this for many years now. I also want to publicly thank the sponsors of this particular project at the airport. They're doing a great thing for the state of Connecticut, for the aviation community. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark further on Senate Bill 412?

Senator DeFronzo.

SENATOR DEFRONZO:

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

THE CHAIR:

Is there any objection to placing this on the consent calendar?

Hearing and seeing no objection, so ordered.

Senator Looney.

SENATOR LOONEY:

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Thank you, Mr. President. Mr. President, if the clerk would call next -- first, we'd like to mark an item go and then to call it next and that it Calendar page 5, Calendar 242, Senate Bill 403. I'd like to mark that item go and ask the clerk to call it as the next item.

THE CHAIR:

MR. Clerk.

THE CLERK:

Calendar page 5, Calendar 242, File 354, substitute for Senate Bill 403, AN ACT CONCERNING HEALTH INFORMATION TECHNOLOGY, Favorably Reported, Committee on Public Health. Clerk is in possession of amendments.

THE CHAIR:

Senator Harris, good evening.

SENATOR HARRIS:

Thank you, Mr. President, how are you tonight?

THE CHAIR:

Very well, thank you.

SENATOR HARRIS:

Thank you, Mr. President. I move acceptance

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of the Joint Committee's Favorable Report and
passage of the bill.

THE CHAIR:

On acceptance and passage, will you remark,
sir?

SENATOR HARRIS:

Thank you, Mr. President. Mr. President, I
have a strike all amendment in front of me, LCO
4806. I ask that it be called and be granted
permission to summarize.

THE CHAIR:

MR. Clerk, please call the amendment.

THE CLERK:

LCO 4806, which will be designated Senate
Amendment Schedule A. It's offered by Senator
Harris of the 5th District.

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

Thank you, Mr. President. I move adoption.

THE CHAIR:

On adoption, will you remark?

SENATOR HARRIS:

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Thank you, Mr. President. As I said this is a strike all amendment. This is a very important bill, this amendment, of course, being that, which will move us to another level with respect to health information technology. As we all know, no matter where you are on the health care debate, one of the big pieces of the puzzle to control costs is actually managing care through better use of health information technology. This is a bill that has brought everybody together; e-health, groups of doctors that are in favor of health technology, the Department of Public Health, both sides of the aisle in this Legislature and the House and the Senate.

We will be establishing a health information technology exchange of Connecticut, HITECH. And we will be able to not only attract initially about 7,3 million dollars of stimulus money, but we'll be joining in other states in this configuration and open ourselves up to a stream of future money to be able to really implement better health practices here in the state of Connecticut.

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I urge passage of the amendment.

THE CHAIR:

Thank you, ~~sen~~.

On the amendment will you remark further?

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. Through you, just for legislative intent, a few questions to the proponent of the bill.

THE CHAIR:

Senator Harris.

SENATOR DEBICELLA:

Through you, Mr. President. It is stated here that the 7.3 million from ARRA funding is going to be going over to this new health information technology exchange. Through you, Mr. President, is there anything in this bill that would add state funds or enable state funds to be transferred over to the new health information technology exchange? Through you.

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

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Through you, Mr. President. There would be the ability to transfer state funds if they were available, but none are contemplated. This will not have an impact on the budget in the near future.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. And when this money -- the 7.3 million dollars runs out, then they are left -- barring an additional appropriation from the Legislature, with just private or further federal funds to complete their task. Is that correct? Through you, Mr. President.

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

Through you, Mr. President, yes, Senator Debicella, we anticipate there would be a mix of funding to be able to keep this going, a crucial part of our health care system.

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Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. And one final question, it's just for clarification. With the e-health authority being out there who was actually involved with the creation of this, what is the distinction between what the HITE new entity we're creating and the e-health scope of - for lack of a better word -- scope of practices, what they're actually responsible for? Through you, Mr. President.

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

Through you, Mr. President. E-health Connecticut is a private, nonprofit entity. That doesn't necessarily mean that this will make it go away. They are on board with this structure and will actually, I believe in the end, be a part of the ultimate network through which we'll deliver electronic health records, electronic patient records, and so that we'll have real time access to everybody's medical record, no matter

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where you are in this state, no matter what setting. And ultimately, hopefully, in the very near future, or relatively, I should say, be inter operable with systems across the country, so that no matter where you are you'll have access to your medical records.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. Thanks, Senator Harris for the answers to those questions. I stand in support of this amendment which becomes the underlying bill. Electronic medical records is actually a key way we cannot only improve health care but reduce costs.

I thank Senator Harris for his work on this and urge adoption of the amendment.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Guglielmo.

SENATOR GUGLIELMO:

Thank you, Mr. President. I just wanted to

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be certain. I know -- not in great detail, but there is also a private initiative on e-health that's been around for about two years which has private funds involved in it and I just wanted to be sure they were included in this discussion if the proponent knows.

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

Thank you, Mr. President. Through you, yes, they were included and they are on board with this configuration and will be a partner with this going forward.

THE CHAIR:

Senator Guglielmo.

SENATOR GUGLIELMO:

Thank you, Mr. President. Yeah, I think that's very important because from what I understand they are two years along in the process and that we wouldn't want to reinvent the wheel. And so if they're included they had Dr. Buckman, who's one of my constituents is involved with the e-health. And Ron's an MIT graduate so

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you -- very much a computer person as well as being an MD and he said they're really ready to replicate their little program on a statewide basis. They're looking forward to working with the Department of Public Health. So I thank the proponent. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

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

If not, I'll try your minds. All those in Senator Harris?

If not, I'll try your minds. All those in favor of the amendment, please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

All those opposed, nay.

The ayes have it, Senate Amendment A is adopted.

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

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amended? Senator Harris.

SENATOR HARRIS:

~~SENATE~~ Thank you, Mr. President. If there's no ~~SENATE~~
further discussion and no objection, I ask that
this matter be placed on the consent calendar.

THE CHAIR:

Is there objection to placing this on the
consent calendar?

Hearing and seeing no objection, so ordered.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, if
the clerk would now turn to Senate Agenda Number
3, item previously marked go and that is under
business from the House. House Bill, Favorably
Reported, Substitute House Bill Number 5435.

THE CHAIR:

Mr. Clerk.

SENATOR LOONEY:

If we might stand at ease for a moment, NP?

THE CHAIR:

Senate will stand at ease.

(Senate at ease.)

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THE CHAIR:

Senate will come back to order.

Mr. Clerk.

THE CLERK:

Calling from Senate Agenda Number 3, House Bills Favorably Reported, Finance, Revenue and Bonding Committee, substitute fro House Bill 5435, AN ACT CONCERNING RECOMMENDATIONS OF THE MAJORITY LEADERS JOB GROWTH ROUND TABLE, Favorably Reported, Committee on Finance, Revenue and Bonding. The bill as amended by House Amendment Schedules A and B.

THE CHAIR:

Thank you, Mr. Clerk.

Senator LeBeau.

SENATOR LEBEAU:

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

THE CHAIR:

On acceptance and passage with the House, will you remark, sir?

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SENATOR LEBEAU:

Thank you, Mr. President. Excuse me for one moment. I'm trying to find a list of people that worked on this bill and it's a long list and I don't want to blow it by not mentioning them. And of course, I can't find it.

First, let me start off with that people know this is an important bill. That this is probably one of the most important bills we're going to pass this year, it not the most important bill we're going to pass this year. And it's also probably the most important economic development bill that this Legislature has done, at least in my almost 20 years of being here.

And looking -- most of that time serving on the Commerce Committee and knowing what we had before, it is probably the most significant economic bill that this Legislature has ever endeavored to pass. It is the right bill at the right time.

Rahm Emmanuel, who I'm sure some of you folks out there don't like, but he said, "A

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crisis is too important to waste." because what it also provides is an opportunity. And this legislature, I'm extremely proud of tonight, extremely proud of to be a member of this Legislature, has made the crisis that we feel on the economic development stage into and opportunity to help create a better state, to help create jobs. And we are doing exactly what this -- what is needed, exactly what is needed.

We are reinforcing and helping, particularly in this bill, small business. Small businesses - why small businesses? We know the answer -- because we've heard it from both sides of the aisle. Small businesses because we know that 80 percent of the jobs are in small businesses and that 97 percent of new job creation is in small business. So if we want to create jobs, the way to do it is to help small business and that's what this bill is all about.

But it's not just about small business per se, it's about particular small businesses, in some cases, in some portions of the bill. And those in that particular area is the area of high

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technology and in particular, high technology and green technology. We are hoping, through this bill, to create the jobs of yesterday and not of today, but the jobs of tomorrow. The jobs that will be available not just to the people out there today who are looking for jobs, but the people -- but our kids. My son, 22 years old or my other son who's 20 years old and getting out of college next year, to perhaps work in that industry.

Again, I am so proud of the Legislature tonight. If you look at the amendment that we have, all the leaders have signed on, Republican, Democrat. The Governor has endorsed the bill. We worked with OPM in this bill, a variety of people.

And I'm going to take that second to see if I can find that list because there's some people I do want to thank specifically. But let me start off with -- let me start off with somebody in this circle.

First of all, I want to thank the president of the Senate, who has said right from the very

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beginning and last fall, we have to have an important jobs bill and this bill is it. And I particularly want to thank the Senate Majority Leader, who formed this group called the Round Table, along with the Majority Leaders and the Majority Leaders Round Table, along with Denise Merrill of the House. And we started last -- I think the first meeting I went to was late last August on this. And we brought in some of the best minds in the state. And I'm sure you'll know some of these names; Lyle Ray, Nathan Emerson, Mr. Pepin from banks, people from UCONN. And here's where I don't have the list and I'm going to blow it so I'm not going to go too far on that. But we brought in some of the best minds in the state to work on this bill and say what can we do that will have -- that will be effective, that will help to create jobs -- again, not just for tomorrow, but for the long run and lay a better basis for economic development in the state of Connecticut. and that's what we did.

And the people in this chamber also. I want

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to thank Natalie Wagoner who helped to shepherd this through. Natalie's back over here. And down in the House, Michael Crist~~er~~ a former Representative and a variety of -- and without the list I'm going to blow it -- but I want to mention some of those people. They did -- they have done yeoman's work on this -- if you look at the bill you'll see it's not a short bill. 32 different sections with about 13 or 14 major program implementations that we were not doing before. And improvements on programs that we have like the Job Creation Tax Credit, like the Insurance reinvestment Act. Helping college students with loan forgiveness programs; helping to establish a program for technical training at the regional and technical colleges; a small business loan program to be administered by DECD; the exemption for the sale of machinery, equipment, tools, materials and supplies used in renewable energy; authorizing CI, Connecticut Innovations for up to 150,000 dollars in preseed financing and technical services and resources to business.

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going to insure that we have a better bang for our buck, that we have more production from our tax credits; to insure that we get jobs out of this bill and for all the dollars that the state's going to put up.

We talked about -- I didn't mention Angel Investment Tax Credit. Angel Investment Tax Credit is something we've worked on for years, and something that's going to finally come to fruition this year. Where were taking -- and a lot of this is so important because we're taking Connecticut money, dollars that are out there. Connecticut corporate dollars, Connecticut individual dollars, personal income tax dollars and using those dollars and providing incentives to invest that money back into Connecticut. Into Connecticut small companies, in to Connecticut preseed companies, into Connecticut companies that are just starting off and to give new life and to bring to life new industries.

Now, if you think about all the major industries in this country that are there today, most of them weren't even in existence ten years

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As I mentioned, the major portion of this bill is the taking of a legislation that was not working very well that the Program Review Committee looked at last year and I want -- I'm just looking at John Kissel and I just want to give him a lot of credit, too. Program Review had a lot of input on this bill. And took -- a lot of the recommendations on this bill were previously in the Commerce Committee and previously in Program Review, it came out this year through Program Review and there's probably six or seven bills that Program Review was -- authorizing with Senator Kissel at the helm with Mary Mushinsky down in the House that we've combined in to this bill.

And one of those programs that we looked at and said this has to be improved is the Insurance Reinvestment Tax Credit, where we were paying up to \$400,000 a job. Not a good program, but with the help of the Senate staff particularly and somebody else I want to thank is Ellis Keletar who helped move this and tightened that up to make this into a better bill. And to one that is

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ago. Think of Google. It's -- I believe it's nine years old. It went public, what , six years ago. It's not one of the most valuable companies in the world. But it's about mind, it's about innovation, it's about technology and that's what this bill attempts to do, is to invest in that.

We do some things we haven't done before in this bill. We ask the DEC commissioner to provide assistance for exporting, manufacturing and cluster based initiatives. You know, we have not done hardly anything in this state to help exports, but 40 percent of our economic growth overall in the state is in exports. But we haven't used the mechanism of DECD to actually work with the Commerce DEPT, which can help us grow our exports, and that's where we should be - - because when we send those dollars, when we send those products abroad, that means dollars are coming back and that means jobs in Connecticut.

We reestablished the Competitiveness Council. We helped with the mortgage crisis by providing 1.3 million dollars in mortgage crisis

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job training programs. We helped with a \$500,000 in lean manufacturing to help our major companies help companies throughout the state, small companies, medium sized companies, to become more lean and it's a term of art, but essentially, they become more efficient, to produce more using less, to make sure that they can stay in business and grow in Connecticut. DECD is to establish a pilot program to assist manufacturing companies to do that.

This is a great bill, folks. I know we're all going to vote for it. I don't want to take up too much time talking about it, but I do want to say that this is important, what we're doing tonight. And as I said when I started, this is an extremely important bill for us this year. I'm very proud to be a member of this circle tonight. And I'm very proud of the work that the legislature has done.

And I also want to thank -- she just walked into the room -- I want to thank Senator Daily for all her guidance on this bill, too. Because we know there's some tricky financial pieces to

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this and financial -- from the finance side and

Senator Daily's been a steady rock for us.

Thank you, Mr. President. And I move passage and acceptance.

THE CHAIR:

You've done that already.

Thank you, sir.

Will you remark further?

Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President. In the perfect world, every single person of working age and who wants to work would have a job. And unfortunately here in Connecticut our unemployment rate hovers around 9.2 percent, unacceptably high. It's too high throughout the entire country, but right here in our home state, in Connecticut, it is certainly too high, especially given our history of a very successful and thriving economy, particularly in the past, in industry of all different sorts and manufacturing of all different sorts.

A tremendous effort has gone into making

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this bill a really good one that I hope everybody supports. It did very well in the House and I want to thank the leadership once again for their supreme efforts in bringing it to fruition here. And that's Senator LeBeau and Representative Jeffry Berger. And also, PRI, all the way along, he has ushered the whole concept of this jobs bill. With their recommendations for the best and Senator Kissel's had a great deal of interest that he's expressed in the whole area of job creation and economic development.

We absolutely have to as a state pay attention to this. It's a tougher ride for us here in Connecticut. There are many other states that have factors going for them that make it much easier. Easier climate, lower taxes, lower costs of doing business and so on. Here in Connecticut, it's always going to be an uphill battle to create jobs, but this bill addresses it and it does it in a lot of wonderful, fruitful ways.

The four areas that I like in particular -- and I think will make a big, big difference in

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the return to health here in the state of Connecticut; Angel Investment Tax Credits, an ~~an~~ absolute must in order to support some of these ~~the~~ emerging industries. Job creation tax credits are ones that we've been hoping to get for at least the last year and a half or so, probably even longer. It's great to see this in bill form.

How about this? Five million dollars in preseed funding money available. That's never been the case as far as I know in the state of Connecticut. To put that in there is bold and I know it's going to deliver a good return on investment to the state of Connecticut and to all of us.

The Competitive Council, that was in existence for a few years, a few years ago. It comes back into place if this bill gets signed in to law and that is another great point of this bill in that it formalizes the whole exercise of having to look at what we have going for us compared to our neighboring states and compared to not only the other states in the country, but

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the rest of the world. How can we make ourselves better. And we need to do this on a continual basis, not just once every two years or once very quarter or even once every month. Things change quicker these days than ever before.

The -- I have two very short questions, Mr. President, through you. Mr. President, through you for Senator LeBeau.

THE CHAIR:

Senator LeBeau.

Senator Frantz.

SENATOR FRANTZ: ..

Thank you.

This is for clarification of the purpose of legislative intent. And this has to do with the reinsurance or Insurance Reinvestment Fund and my question for you is if companies comply with these provisions in the bill, would their operations be governed by the same statutes and rules that existed on or before December 29th in 2009?

THE CHAIR:

Senator LeBeau.

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SENATOR LEBEAU:

The answer is yes. The companies that have been approved and certified between January 1st, 2010 and July 1st, will be regulated under current law before passage of this bill. With the exception at the proof of a minimum one million dollar investment must be provided for each company prior to July 1st, 2011.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. That answers the question to my satisfaction. Senator, through you, Mr. President, in section 14, if you'll look at the language it indicates that the aggregate amount of tax credits allowed after passage of this law will be 200 million dollars. It's my understanding that the 200 million dollars is an aggregate number for those tax credits allowed after July, 2010. Is that a safe assumption, Senator LeBeau? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

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SENATOR LEBEAU:

Yes, the 200 million collar figure is for tax credits allowed under this law after July 1st, 2010, and does not include tax credits allowed prior to this date.

I just want to add something else. It's important to note that those institutions or companies which currently hold tax credits, but have not used them will continue to be able to use those credits in accordance with the law as it existed prior to the passage of this bill.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. Through you, Mr. President, I appreciate the answers to those questions and my final statement is this. This is a good bill, fellow Senators, let's pass this bill. Let's get Connecticut back to work. Thank you.

THE CHAIR:

Thank you, Senator.

Will you remark further? Senator McLachlan.

SENATOR MCLACHLAN:

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Thank you, Mr. President. I rise in support of this legislation and I am grateful to the bipartisan effort that has occurred in this process. This is what are constituents are asking us to do, to work together and it's really heartening to see the good work that occurred in developing this bill.

You know, we have lost 101,000 jobs in the state of Connecticut, and one of the things that I commonly hear from my constituents, primarily small business owners is, what is the recovery proposals of government doing for us? And this is one of those ideas that I think is going to work for small business. This really is a good idea.

And another good idea here is that we're encouraging our graduates, our recent college graduates to stay in Connecticut. and we all know that it's a challenge to keep our young people, once they graduate, to stay here. Bravo on that aspect of this legislation.

The small business assistance program is a job generator and this is good news for

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Connecticut and for Connecticut small businesses.

Thank you to everyone who worked so hard on
this bill.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President. Mr. President, I
also rise to support this very good bill, and
also, applaud the hard work that was done on it.

It actually is a bill who's title actually
matches the content of the bill and is positive
for the state.

But I do rise to make a cautionary note that
in other bills that we may be entertaining in
this very short, last few days of the session, we
should be very cautious about also targeting our
very large businesses because these very small
businesses -- and many of us have family members
that work at these very small business, often
dependent on the very larger firms. They're

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often small electronic firms, technology firms that get a lot of business as subcontractors for them and if the larger businesses would go away, they too, would suffer and would not be able to stay in Connecticut or keep their businesses thriving. So on that cautionary note, I think it's a great bill, ought to pass. Thank you.

THE CHAIR:

Thank you, Senator.

Senator DeBicella.

SENATOR DEBICELLA:

Mr. President, what a difference a few small days make. A few days ago, we were debating, very fiercely, SB 1, which there was serious disagreement about, whether it would create or destroy jobs. I think this circle stand unified behind this bill tonight as a bill that truly help small businesses.

And I'm pleased to speak on this because when I first arrived here and started my state Senate career in 2007, I worked with many members of this circle promoting the ideas that are in this bill tonight. And as I end my Senate career

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formally in the next couple of months, this is a bill that I can be proud to get behind.

And the great thing about the bill that Senator LeBeau's put together is the diversity of sources of the ideas that are in here. We have things like Angel Investments, which, back when I was ranking member on Commerce in 2007, we had people coming and said, oh geez, that's a great idea, we should do that. And now it's coming to fruition.

You know, ideas like the Job Creation Tax Credit, which people from Gail Slossberg to Gary LeBeau to Governor Rell, the Senate Republican caucus have all included at different points in our plans for job creation. And tonight we do the thing that we proposed as a Senate Republican caucus to actually lower it to any job created and to expand it to S corps and LLC's.

Ideas like economic clusters, which everyone has been talking about we need to generate here in Connecticut.

Mr. President, this isn't a panacea. This bill's not going to fix the recession. It is not

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going to reverse all the job loss, but it is a
move in the right direction. And it will help
small businesses create jobs. And if this state
legislature can help even a couple small
businesses out there hire a couple more workers
then we are doing a good job.

So, Mr. President, I stand in support of
this bill tonight. It may be one of the most
important things we do as a state legislature
this year. Thank you.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President. Mr. President, I
rise in support of this bill. I would thank all
of those, both in the Senate and the House who
worked on it. And rise simply to echo the words
of Senator Debicella.

We need to be mindful that this bill has
some very important steps forward, particularly
for small businesses. But it will not in and of

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itself, turn our economy around or bring back those hundred thousand jobs that were lost. That is still an important task for us to work on.

There is still work left for us to do. And hopefully, this bill is a model of bipartisan cooperation that we can use to continue to move our state forward as we try, not only just to recapture those hundred thousand jobs that were lost, but build an economic foundation for the future of the state of Connecticut.

It is often said that somewhere between 80 to 90 percent of our new jobs created are small businesses. And that's true, but also, as Senator Boucher pointed out, we have a number of extremely large important businesses in the state of Connecticut as well, who many small businesses are dependent on for their very survival. It is a balance that works together for our state and hopefully this is just one step of several we will take to get our economy moving again. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

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Will you remark further?

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, speaking in support of the bill, certainly I think that as Senator LeBeau and Senator McKinney and others have said, this really is a significant bipartisan achievement for this session.

I wanted to commend the Governor for her commitment to make sure that we did a job development bill in the course of the session. Want to thank our Senate president, Senator Williams for the urgency with which he pursued these issues throughout the session and Speaker Donovan, also, for his cooperation. Especially wanted to thank my counterpart in the house, Representative Merrill, with whom as Senator LeBeau said we convened the Majority Leaders Job Growth Round Table all throughout the fall. I had a panel of very helpful experts who worked closely with us, presented options and ideas and did a close analysis of various aspects of

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Connecticut's economy.

And Senator LeBeau was a particularly active participant in those job-round table discussions, along with his counterpart, Representative Berger. And of course, our Finance Committee, Senator Daily, Representative Staples, obviously worked on this and closely examined the tax and bonding implications of this.

So it really is I think a recognition of both the job crisis that we face and also the fact that our economy is changing in so many ways, that small business is such a critical part of our economy, more than it ever was. And will be even more so, going forward.

And I think among the significant elements in this bill are those that do provide particular assistance to small business. In section 6 of the bill establishing the small business loan program to be administered by DECD to provide loans of up to \$500,000 and loans and lines of credit for businesses with fewer than 50 employees, and authorizes bonding funds for that program.

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Also expanding the Job Creation Tax Credit to small businesses again, those under 50 employees that create new and full time jobs between January of this year and the end of 2012. A credit for \$200 a month for up to three years to be taken against the Insurance Premium Corporation and personal income taxes.

Also, Mr. President, I wanted to call attention to the fact that we are also paying particular attention to the need for providing incentives for the hiring of those with disabilities in Connecticut. And a portion of the job development tax credit is provided for businesses that create new positions for individuals hired through the Bureau of Rehabilitative Services. Again, an important sector that needs to be stimulated because we know there are so many people who are hoping to be self sustaining and self supporting, and we need in some cases to provide incentives for employers to give them that chance.

So, Mr. President, it is -- there are so many critically significant elements here. We

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also have a provision, a bonding fund for the mortgage crisis job training program, which has been a success that we want to sustain and continue that. Again, Mr. President, this comes - this bill comes after our bill earlier in the week in which we canceled a number of bonding authorizations and now we are providing new targeted authorizations for particular purposes to stimulate job development.

So again, Mr. President, I think this is a significant achievement for the session, in a bipartisan way; that all four caucuses and the Governor have contributed to and can be proud of. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Looney.

Senator Williams.

SENATOR WILLIAMS:

Thank you, Mr. President. I rise also to support the bill. And to thank everyone who was involved on both sides of the aisle. I won't repeat all the folks that Senator LeBeau thanked and Senator Looney thanked. I think they did an

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excellent job of covering all the bases. But I do want to point out very specifically that Senator LeBeau has concentrated a good portion of his career as a state Senator fighting for jobs and to improve the economy in the state of Connecticut and this is another feather in his cap in terms of his work. And Senator and Majority Leader Marty Looney was part of the effort, actually one of two leaders with Denise Merrill in the House, folks who really took this whole process, shaped it, made it happen, brought this bill before us. And then my good colleagues on the other side of the aisle, the Republican legislators and Governor Rell all participated. This is, as has been said, a bipartisan, joint effort by all folks involved and it's a credit to this Legislature and to our state government.

Very briefly, very important for the struggling businesses out there that they have access to capital. This provides that through revolving loans. Small businesses often live and die by the lines of credit they have and their

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specific access to capital through lines of credit. This helps them keep those lines of credit open so that they can keep their businesses running.

We know, in Connecticut, unemployment levels are higher right now than they have been in many years. There are unemployed workers needing retraining. This bill provides that at our community colleges. And we know one of the waves of the future is in green energy technology and this bill provides credits and incentive for investors to get involved, in the state of Connecticut, to create those industries in Connecticut and create those jobs in Connecticut.

So for all of those reasons, Mr. President, I proudly support this bill. Thank you.

THE CHAIR:

Thank you, Senator Williams.

Will you remark further on the bill?

If not, Mr. Clerk, please announce the pendency of a roll call vote.

THE CLERK:

Immediate roll call has been ordered in the

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

THE CHAIR:

Have all Senators voted? Have all Senators voted?

If all Senators have voted, please check the board to make sure your votes are accurately recorded.

If all Senators have voted, the clerk will announce the tally.

THE CLERK:

The motion is on passage of House Bill 5435, as amended.

Total number Voting	32
Those voting Yea	32
Those voting Nay	0
Those absent and not voting	4

THE CHAIR:

The bill passes in concurrence with the House.

Senator Looney.

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SENATOR LOONEY:

Thank you, Mr. President. Mr. President,
would move for immediate transmittal to the
Governor, substantive House Bill 5435.

THE CHAIR:

Without objection, so ordered.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, if
the Clerk would now call the consent calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

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

Mr. President, the items placed on consent
calendar number 2 begin on Calendar page 1,
Calendar Number 72, Senate Bill Number 95.

Calendar page 2, Calendar 118, Substitute

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for Senate Bill 176.

Calendar page 5, Calendar Number 242,

Substitute for Senate Bill 403.

Calendar page 14, Calendar Number 472,

Substitute for House Bill 5539.

Calendar page 23, Calendar Number 63, Senate
Bill 185.

Calendar 68, Substitute for Senate Bill 221.

Calendar page 24, Calendar 104, Substitute
for Senate Bill 45.

Calendar page 25, Calendar 125, Substitute
for Senate Bill 316.

Calendar 128, Substitute for Senate Bill
330.

Calendar page 26, Calendar 141, Substitute
for Senate Bill 188.

Calendar page 29, Calendar 194, Substitute
for Senate Bill 412.

Calendar page 30, Calendar Number 212,
Substitute for Senate Bill 13.

Calendar page 31, Calendar 213, Substitute
for Senate Bill 93.

Calendar 214, Substitute for Senate Bill

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192.

Calendar 219, Substitute for Senate Bill

402.

Calendar 220, Substitute for Senate Bill

325.

Calendar page 32, Calendar 234, Substitute
for Senate Bill 167.

Calendar page 35, Calendar Number 278,
Senate Bill Number 400.

Mr. President; that completes the items
placed on consent calendar number 2.

THE CHAIR:

Thank you, Mr. Clerk, the machine will be
open.

THE CLERK:

Mr. President, there's one correction.
Calendar page 2, Calendar 118 was not placed on
consent, that was referred to Finance, Revenue
and Bonding.

THE CHAIR:

Thank you, Mr. Clerk.

Senator Fasano.

Have all members voted? Have all members

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voted?

Please check the board to make sure your votes are properly recorded? Have all members voted?

The clerk will announce the tally.

THE CLERK:

The motion is on adoption of the consent calendar number 2.

Total number Voting	32
Those voting Yea	32
Those voting Nay	0
Those absent and not voting	4

THE CHAIR:

The consent calendar passes

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, I believe the clerk is now in possession of Senate Agenda Number 5 for today's session.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Mr. President, Clerk is in possession of

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Senate Agenda Number 5 for Saturday, May 1, 2010,
copies have been distributed.

THE CHAIR: ~~and~~

Senator Looney.

SENATOR LOONEY:

Yes, Mr. President, thank you. Mr.
President, I move all items on Senate Agenda
Number 5, dated Saturday, May 1st 2010, to be
acted upon as indicated and that the agenda be
incorporated by reference into the Senate journal
and the Senate transcript.

THE CHAIR:

Thank you. Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Would also move
that all items on Senate Agenda Number 5 be moved
to the calendar for printing.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President,
for purposes of several journal notations.

THE CHAIR:

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Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, Senator Slossberg was absent today due to a period of mourning in her family. And also, Mr. President, Senator Gaffey, Senator McDonald and Senator Stillman, missed some votes today due to the fact that they each had to leave for commitments or business in their districts.

THE CHAIR:

It shall be noted. The journal shall take note.

Senator Looney.

SENATOR LOONEY:

Mr. President, I would yield the floor to any members for purposes of announcements or points of personal privilege.

THE CHAIR:

Thank you, Senator Looney.

Are there any announcements or points of personal privilege? Senator Coleman.

SENATOR COLEMAN:

Thank you, Mr. President. Mr. President, I

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was out of the chamber for business in my district and may have missed some votes today.

THE CHAIR:

Thank you, Senator. The journal will so note.

SENATOR COLEMAN:

Thank you.

THE CHAIR:

Any other announcements or points of personal privilege? Any other announcements or points of personal privilege?

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, move for immediate transmittal to the House of Representatives of any actions of any bills acted upon in the Senate today requiring additional action in that chamber.

THE CHAIR:

Thank you, Senator.

Is there any objection to immediate transmittal?

Seeing none --

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SENATOR LOONEY:

And also, Mr. President, would move for immediate transmittal to any committees of bills referred from the floor of the Senate today to various committees?

THE CHAIR:

Is there any objection? Hearing and seeing none, so ordered.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, that will conclude our business for this evening. We will, of course, be in session Monday, Tuesday and Wednesday of next week, and we will begin action on Monday with a Democratic caucus at noon followed by session.

THE CHAIR:

Thank you, Senator.

SENATOR LOONEY:

And, Mr. President, would move the Senate stand adjourned subject to the call of the chair and wish everyone a safe and happy remainder of the weekend.

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THE CHAIR:

Thank you, Senator. The Senate is adjourned
subject to the call of the chair.

On motion of Senator Looney of the 11th, the
Senate at 9:24 p.m. adjourned subject to the call
of the Chair.

THE CONNECTICUT GENERAL ASSEMBLY

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The Senate was called to order, at 12:15 p.m., in accordance with the provisions of Senate Rule 9(b) and under the authority of the President Pro Tempore and the Senate Minority Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to Acting Chaplain Timothy B. Kehoe, of East Hartford, who will lead us in prayer.

ACTING CHAPLAIN TIMOTHY B. KEHOE:

Lord, help us to be honest and true in all that we say and all that we do; give us the courage to do what is right, to bring to the world a glimpse of your light. Amen.

THE CHAIR:

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

It is hereby moved that Senate Agenda Number 1, dated Sunday, May 2, 2010, is adopted, the items on said Agenda shall be acted upon as indicated, and that the Agenda shall be incorporated into the Senate Journal and the Senate Transcript.

SENATE AGENDA NUMBER 1

(1) EMERGENCY CERTIFICATION

SR No. 17 RESOLUTION PROPOSING APPROVAL OF AN ARBITRATION AWARD BETWEEN THE BOARD OF TRUSTEES OF COMMUNITY-TECHNICAL COLLEGES AND THE CONGRESS OF CONNECTICUT COMMUNITY COLLEGES CONCERNING DISTANCE

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LEARNING.

Introduced by Senator Williams of the 29th District

(2) BUSINESS FROM THE HOUSE

- (A) HOUSE BILL(S) FAVORABLY REPORTED** - to be tabled for the calendar.

APPROPRIATIONS COMMITTEE

SUBST. HB NO. 5196 AN ACT CONCERNING CREDIT PROTECTION FOR FOSTER CARE CHILDREN. (As amended by House Amendment Schedule "A" (LCO 4918))

JUDICIARY COMMITTEE

SUBST. HB NO. 5533 AN ACT CONCERNING SEXTING. (As amended by House Amendment Schedule "A" (LCO 4673))

JUDICIARY COMMITTEE

SUBST. HB NO. 5387 AN ACT CONCERNING THE REMOVAL OF SNOW AND ICE FROM MOTOR VEHICLES. (As amended by House Amendment Schedule "A" (LCO 5008))

GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE

SUBST. HB NO. 5471 AN ACT CONCERNING INDEPENDENT EXPENDITURES. (As amended by House Amendment Schedule "A" (LCO 4761))

HUMAN SERVICES COMMITTEE

HB NO. 5413 AN ACT CONCERNING EXPENDITURES OF STATE AGENCIES PROVIDING SOCIAL SERVICES. (As amended by House Amendment Schedule "A" (LCO 2991))

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

The Senate, at 12:18 p.m., adjourned under provisions of Senate Rule 9(b) 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 2:03 p.m.,
the President in the Chair.

THE CHAIR:

The Senate will please come to order. Members
and guests please rise and direct your attention to
the Rev. David H. Baird, who will lead us in prayer.

Reverend.

REV. DR. DAVID H. BAIRD:

Dear God, Great Architect of all that is good, just
and right on this earth be with us as we take a moment
and pause to ponder and pray. Help us to be completely
mindful of your presence and your ways as we seek to
align our thoughts, our lives and all our actions to Your
great will and Your great heart.

The sacred web of life is so complex. Our
communities and our world are filled with so many
conflicting agendas and demands that appear that they can
not wait. As we pause to contemplate the weaving together
of a life worth living and the daily struggles of our

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fellow human beings, Lord help us to be mindful of the sacred web that binds us together.

When we begin to view our world and our tasks through Your great eyes it all begins to become so much clearer. Help us to see that we are all bound together in the daily tasks of seeking to live a life that is good, a life that is just, a life that is kind. Help us craft together a common life that cherishes all with a heart of compassion and love. Help us to live together and create a society where righteousness and forgiveness, mercy and personal integrity, responsibility and service, respect and justice are all equally valued and desired. Let those of us who have stepped into the arena of the sacred task of governance come to embrace our diversity as your good and gracious gift that we can use creatively to work for the common good for all.

Be with Your servants in this place, in all things great and small, so that small things become great and great things become possible. Bless our Senators and all the legislative and executive staff this day, bless their loved ones and their families and make their homes sanctuaries of love and peace

We ask this in Your holy and awesome name. Amen

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THE CHAIR:

Thank you, Reverend.

Senator Maynard, would you please come up and lead us in the pledge.

Before we begin, I hope I didn't hit the gavel too hard for our young friends up there. We have only a few days to go and we want to make sure that everybody in the circle here is paying attention and awake for the last three days of session. Senator Maynard.

SENATOR MAYNARD:

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

THE CHAIR:

Thank you. Good job up there.

Senator Looney.

SENATOR LOONEY:

Good afternoon, Mr. President.

THE CHAIR:

Good afternoon, Senator.

SENATOR LOONEY:

Mr. President, I believe the Clerk is in

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possession of Senate Agenda Number 1.

THE CLERK:

Mr. President, Clerk is in possession of Senate Agenda Number 1, dated Monday, May 3, 2010. Copies have been distributed.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, I move all items on Senate Agenda Number 1, dated Monday, May 3, 2010, to be acted upon as indicated and that the agenda be incorporated by reference into the Senate journal and the Senate transcript.

THE CHAIR:

Without objection, so ordered.

Senator Looney.

SENATOR LOONEY:

And, yes, and Mr. President, I would also move that the -- the item on that agenda be immediately moved to the calendar for printing.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. Will move now to

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mark some items on today's calendar. We'll mark them first in calendar order, but will then go back and mark certain particular items as -- as order of the day.

Mr. President, beginning calendar page 1, Calendar 99, Senate Bill 291, is marked go.

Calendar page 2, Calendar 142, Senate Bill 329, marked go.

Calendar page 3, Calendar 157, Senate Bill 121, marked go.

Calendar page 5, Calendar 255, Senate Bill 352, that item might be marked pass temporarily.

Calendar page 9, Calendar 433, Senate Bill 485, Mr. President, that item might be marked pass temporarily.

Calendar page 14, Calendar 479, House Bill 5028, that item might be marked go.

Calendar page 14, Calendar 480, House Bill 5372, marked go.

Calendar page 15, Calendar 484, House Bill 5383, is marked go.

Calendar page 16, Calendar 491, House Bill 5246, is marked go.

Calendar page 16, Calendar 495, House Bill

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5213, is marked go.

Calendar page 19, Calendar 520, House Bill

5336, is marked go.

Calendar page 25, Calendar 35, Senate Bill

Number 12, is marked go.

Calendar page 25, Calendar 39, Senate Bill 52,
is marked go.

Calendar page 27, Calendar 106, Senate Bill
318, is marked go.

Calendar page 27, Calendar 108, Senate Bill
321, is marked go.

Calendar page 27, Calendar 122, Senate Bill
319, is marked go.

Calendar page 28, Calendar 153, Senate Bill
343, is marked pass temporarily.

Calendar page 29, Calendar 164, Senate Bill
427; is marked go.

Calendar page 30, Calendar 195, Senate Bill
414, is marked go.

Calendar page 31, Calendar 211, Senate Bill
370, is marked go.

Calendar page 32, Calendar 218, Senate Bill
303, is marked go.

Calendar page 32, Calendar 230, Senate Bill

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283, is marked go.

Calendar page 33, Calendar 231, Senate Bill

292, is marked go.

Continuing, calendar page 33, Calendar 235,

Senate Bill 216 is marked go.

Also, calendar page 33, Mr. President, Calendar
237, Senate Bill 300, is marked go.

Calendar page 33, Calendar 251, Senate Bill
455, is marked go.

Calendar page 33, Calendar 254, Senate Bill
203, is marked go.

Moving to calendar page 35, Mr. President;
Calendar 271, Senate Bill 428, is marked go.

Also on calendar page 35, Calendar 274, Senate
Bill 305, is marked go.

Continuing calendar page 35, Calendar 316,
Senate Bill 278, is marked go.

Moving to calendar page 36, Mr. President,
Calendar 318, Senate Bill 418, is marked go.

Moving to calendar page 38, Calendar 373, House
Bill 5371, is marked go.

And calendar page 38, Calendar 376, House Bill
5254, is marked go.

And Mr. President, that will conclude our

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markings at this time. There may be -- they'll be additional items to mark later and if we might stand at ease for a moment we'll announce a list of items as the first orders of the day.

THE CHAIR:

Thank you, Senator Looney.

The Senate will stand at ease.

SENATOR LOONEY:

Thank you, Mr. President

(Senate at ease)

THE CHAIR:

The Senate would come back to order. Senator Looney.

SENATOR LOONEY:

Mr. President, to mark several items and then we'll mark additional ones later. The first is calendar page 33, Calendar 251, Senate Bill 455, from the Commerce Committee.

And the second bill -- the next two will be calendar page 29, Calendar 164, Senate Bill 427, from the Transportation Committee.

And calendar page 30, Calendar 195, Senate Bill 414, also from the Transportation Committee.

We'll mark those as the first three items, Mr.

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President.

THE CHAIR:

Thank you, Senator Looney.

Mr. Clerk.

Senator Looney.

SENATOR LOONEY:

Yes, I believe if we might pause first for points of personal privilege or introductions, I believe Senator Meyer has an introduction.

THE CHAIR:

Thank you, Senator Looney.

Senator Meyer.

SENATOR MEYER:

Thank you, Mr. President.

I don't know if you're all familiar with a -- a wonderful innovative education facility that's called the Connecticut Experiential Learning Center. It's located in -- in Guilford and in Branford, actually both, and students from that center are supposed to be coming into the chamber right now and are not coming into the chamber. They left upstairs and are coming down. The father of one of the students is Eric Brown of CBIA. Eric is up in the gallery and here they come. These are students from

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the Experiential Learning Center. They're very, very bright. I had a chance to meet with them this morning and I hope that they'll stay here for a little while and you'll have a talk with them. Don't step on the seal in the center; it's a no, no. But, would the -- would the circle please give them a warm welcome for all they do.

THE CHAIR:

Thank you, Senator Meyer.

Welcome to the Senate chamber. Glad to have you here today with us.

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

If not, Mr. Clerk -- well, hold on one second.

The senate will come back to order.

Mr. Clerk.

THE CLERK:

Calling from Senate Calendar for Monday, May 3, 2010, matters returned from committee, calendar page 33, matter marked order of the day, Calendar number 251, File number 407, Substitute for Senate Bill 455, AN ACT CONCERNING THE CONNECTICUT SPORTS AND MARKETING CORPORATION, favorable report of the

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Committee on Commerce and Government Administration
and Elections.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Good afternoon, Mr. President.

THE CHAIR:

Good afternoon, Senator.

SENATOR LeBEAU:

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

THE CHAIR:

On acceptance and passage, will you remark?

SENATOR LeBEAU:

Yes, I will. Thank you, Mr. President.

This bill is called AN ACT CONCERNING THE
CONNECTICUT SPORTS AND MARKETING CORPORATION and
that's what it does, it helps to create a new
entity, a new body, called the Connecticut Sports
and Marketing Corporation. To promote, attract and
retain and market sports at all levels in the -- in
the state.

Now, a couple of years ago, we had a situation
where there were some instances of sports events

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that potentially could have come have to Connecticut, that could have helped our economy, that could have given our vendors some jobs and some business, that could have helped our hotels put people into them, that could have allowed generally -- a general economic activity and provided jobs. But, because we did not have this kind of corporation, because we did not have somebody to speak for the State of Connecticut when it came to sports, we lost those -- those events.

And, looking forward, we're hoping that things like the NCAA's at various -- the final four, the final 64, March Madness, other events that are taking place in Connecticut that we can stimulate by speaking with one voice and having one body that pulls together all the resources that exist in this state. The wonderful resources of the University of Connecticut, of Central, of -- of the professional and semi-professional sports teams that we have in -- that we have in the state, that we can pull together and to offer more and to have more events providing more economic activity and that's why this bill is coming out of the Commerce Committee, Mr. President.

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What the bill does specifically, it allows this corporation to inventory all amateur collegiate semi-professional and professional sports and events in the state. It allows them to maintain a website -- website of scheduled sports events and activities state-wide to help market state sports events and support other groups in the state competing for additional sports events and opportunities, and, to represent the state, to represent the state, very important, at -- at different forums around the country and indeed around the world. To try to attract those, a variety of events and trade shows to Connecticut.

Now, this bill has no fiscal note because there are no dollars attached to this bill. This is a voluntary, or this is a corporation that we're forming and it will be able to take monies in from other organizations; it will be able to take contributions and it will be able to raise private funds to encourage the development, promotion and the marketing of sports events in the state.

Mr. President, this is a bill that is very important to sports and the state, it's very important to sporting activities in the state and

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the question arose -- let me just kind of head that question off at the pass so to speak -- that this does not affect any licensing provisions that we have. So if there -- if you need to have licensing for certain activities, those through, say the -- which are governed by the Public Safety Committee and certain boards within the state, there's no affect on this.

This is about marketing, this is about publicity, this is about pulling together the various groups in the state by -- through the creation of a board and a corporation that will govern that to help us grow, again, grow the economy as we talked about on Saturday, grow the state economy and help provide jobs and opportunities for our young people and for people looking for economic activity, looking for jobs in the state. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

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If I could, a couple of questions through you to the proponent of the bill before us.

THE CHAIR:

Please term your question.

SENATOR MCKINNEY:

Thank you.

Mr. President, I know that Senator LeBeau referenced several sporting events which had looked to come into Connecticut but didn't come to Connecticut because this sports marketing corporation was not in existence. Could Senator LeBeau please educate me as to what sporting events were looking at coming to Connecticut and chose not to? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Thank you, Mr. President.

Through you, I do not remember the exact -- there were at least two, Senator, and one was a -- a fishing tournament on the Connecticut River that we had had for a couple of years in a row and then we lost it. I do not -- I want to say it was the Bass Masters, but I don't think it was, I think it was

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another -- another fishing tournament that was supposed to come and then there was nobody for them to talk to and if they would have had -- if this group would have been in existence and if they would have had the ability to draw upon a variety of groups from the state, they might have been able to come up with the necessary resources in order to have that group come.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you.

Mr. President, I know that there was a time where Connecticut -- and we still do host a PGA Golf Tournament, professional golf association tour that goes to many stops. They only have a maximum of 52 weeks out of the year and one of the places they chose in Connecticut. Through you, Mr. President, it's my understanding that when the Greater Hartford Open was in trouble at a time, they actually negotiated directly with the Governor's office and DECD and they were able to fashion support for the tournament that enabled them to stay in Connecticut. Through you, Mr. President, is that the good

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Senator's recollection that when we had a professional golf tournament look at maybe leaving Connecticut, that golf tournament dealt directly with the Governor's office and DECD. Through you.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

I believe that is correct, Senator, that that is what occurred and thank God that the Governor's office stepped forward and the DECD stepped forward at that time.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you. Also, just through you, Mr. President, is -- is Senator LeBeau aware that obviously we have the NCAA women's college basketball tournament, has been played in Connecticut? We've hosted regional round games. Connecticut also has been host to the NCAA hockey tournament, collaboration between Yale University and Fairfield University at Harbor Yard in Bridgeport. Is the Senator aware that those major

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significant NCAA tournament games have been held in Connecticut?

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

Yes. My hope to continue, Mr. President, I would hope that that forms a floor, not a ceiling for us.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you. Can Senator LeBeau identify for me or tell me, how this sports marketing corporation would work -- would work with our tourism districts and with the local organizations which might be hosting these events? As I understand it, the City of Bridgeport, the Mayor's office, Yale University, Fairfield University and the greater regional tourism district, for one example, worked hand in glove to bring the NCAA hockey tournament to Bridgeport. They worked on an application, applied, appeared before the NCAA and were granted an eastern regional tournament in 2009 and next year in 2011.

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How would our tourism districts be impacted by this?

Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Thank you, Mr. President and through you, Mr. President.

They would be part -- they would be represented on the -- on the board. The OPM, the Executive Director of Culture and Tourism would be ex-officio members on -- on the board that would be created to ensure that -- that there would be this kind of, like, communication taking place. The Senator makes a good point. We have -- we've been somewhat successful; we've been very successful, frankly, in doing -- in bringing sports events to the state. And again, my -- my point here is that we could be even more successful by having this -- this body speak for the state by pulling all the disparate elements of sports in the state together, looking forward towards not just next year and the year after, but looking down the road because as - as I'm sure the good Senator knows, that many of these events as in some of the events you just cited are

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sometimes planned four, six even eight years in advance.

And, to have this board being able to speak for the state would be -- would have the opportunity to do that kind of planning. Through you, Mr. President.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

Do either of the Native American tribes and casinos have members on this board? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

I'd have to check the -- the bill carefully, Mr. President, and I'm not sure.

THE CHAIR:

The Senate will stand at ease.

(Senate at ease.)

THE CHAIR:

The Senate will come back to order.

SENATOR LeBEAU:

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Through you, Mr. President.

Thank you. I do not believe that they would -- there's only -- there are very few groups that are mentioned as having members on the board. They're more from various industries. So, you have four -- like for instance, three members which shall represent sports venues or arenas capable -- capable of hosting events with 10,000 or more spectators or attendees. There are only a few of those that exist in the state including the -- the Native American tribes that we have. Four members who shall represent professional sports.

Now we have, as the Senator just alluded to, a professional sports team at -- at the -- down at the Mohegan Sun. So, I -- I think that there -- now where we -- what we tried to do is to try to create a body without naming individuals but to provide a -- a venue that would be open to some of the major players in the state. And I would -- I would think that they -- they would ultimately be part of that.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

And, through you, Mr. President, is it -- is

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the vision of this sports and marketing corporation that bringing a professional or semi-professional or even amateur sporting event to the Mohegan Sun or to Foxwoods, is as attractive and as important to the State of Connecticut as say bringing it to Harbor Yard in Bridgeport or the XL Center in Hartford? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

I don't believe that the bill speaks to any priority there. I think the bill speaks to trying to encourage the event itself and to finding a proper venue for that.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you. And the reason why I ask, I think it's pretty obvious. Both casinos are multi-billion dollar corporations that spend tens of millions of dollars marketing and selling themselves around the world. It's also the case that when Mohegan Sun has a rodeo, professional sporting event, I guess, if

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you call rodeo a sporting event, I certainly think its -- you have to be a pretty good athlete to ride a couple thousand pound bull, they host rodeo events. They also host boxing events.

Now, we have a Connecticut Boxing Commission which this sports and marketing commission would seem to duplicate with respect to boxing and one would wonder why we need the Boxing Commission if you have this sports and marketing commission, but hopefully they would work with one another, but whether it's large prize fights in boxing or rodeo or other sporting events that they have at the casinos, how much sales tax revenue do we generate as a state from tickets from those venues? Zero.

So, we're trying to attract sporting events to Connecticut so our economy can get a boost, yet when sporting events go to the casinos, the only one who gets the boost are the owners of the casinos, not the people of the State of Connecticut. In fact, the people that go watch the basketball game or the prize fight or the rodeo, they go out and they have dinner at the casino, not in restaurants in the State of Connecticut. So, unless they also go and gamble, we lose and we lose big time.

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So, I'm just curious and I guess the answer is we don't know, whether this sports and marketing corporation is also going to try to attract events to those casinos which would be of no value to the people of the State of Connecticut because you can stay at a hotel at the casino, you can buy your food at the casino, you can shop at the casino, you can even get, you know, your nails done and hair cut at the casinos.

So, I think that's an important omission in this bill. Through you, Mr. President, I also understand in -- in Senator LeBeau's remarks and looking at the summary, that this corporation will be treated as a non-stock corporation and will have the ability to acquire and dispose of real and personal property, sell bonds and invest in stocks. He also mentioned that they'll have the money to raise funds. And, I think all of those raise tremendous red flags for me. So, through you, I'd like to -- I'd like to ask the good Senator if this corporation can sell bonds, will those bonds be backed by the full faith and credit of the people of the State of Connecticut? Through you.

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Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

I would not believe so.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Through you, Mr. President.

Then what property does this corporation own
what stream of income does this corporation own? It
seems at best risky for someone to want to sell --
to buy bonds from a corporation that doesn't own
anything, doesn't have any property, doesn't have
any income stream and such bonds won't be backed by
the full faith and credit for the State of
Connecticut. So, how would they be able to sell
bonds? Through you.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

I'm not sure at this point. I think that's
kind of like looking down the road for selling
bonds, but they certainly can take contributions

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from members, they can take contributions from others, they -- they could have an income stream and that would allow them to own property. If they wanted to set up, establish an office, if they wanted to purchase it, to own computers and -- and what-not, whatever they need to -- to function.

So, I think that that is an absolute necessity for them to be able to own property. I'd like to also just go back, if I -- if I may, Mr. President, regarding the remarks about the Mohegan's and the Mashantucket's not providing anything for the state. All of those activities that were mentioned by the good Senator would result in dollars coming into the state because all those people employed at the restaurants, at the casinos, at those hotels, are paying income tax on their -- on their salaries, so we -- there would be a -- a benefit. Not as good as the benefit that happens at the -- at the XL Center and I would grant the good Senator, that's correct. But -- but his point is well taken but there are -- but there are -- there would be an income stream that would help the state. Thank you, Mr. President.

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Senator McKinney.

SENATOR MCKINNEY:

Thank you, Senator.

And, I did mention that because indeed when you talk to people as I have in the past, whether it's in the entertainment world through concerts or in the sports world, they will tell you there is only so many venues that they can visit. For concerts for example, they'll do an east coast tour, they'll do large venues like Madison Square Garden, or the old Giant's Stadium, and they'll move their way up to Boston and they'll do Gillette Stadium where the Patriots play, and they'll also do a number of small events. But there's only so many small venues they can do and very few, for example, concerts or professional sporting events, will stop at Harbor Yard in Bridgeport and do the Mohegan Sun. There are just so many of those you can do.

So, what they do is they end up all going to the Mohegan Sun. The reason why they do that is because the Mohegan Sun can charge less for tickets because they're not trying to make money -- they're trying to get people in the door. Because, when they get people in the door, they know they're going

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to get a small percentage of them that will gamble and a larger percentage that will spend money in the restaurants and the shops and the stores. And, so what we end up, and it's -- it's fine, but we end up with those two tribes competing with places like Harbor Yard in Bridgeport which are struggling.

And, so I am concerned that we're going to allow the Connecticut Sports and Marketing Corporation to enhance those operations to the detriment of other operations in the State of Connecticut which we get all the benefit from as citizens and there are employees who work for them in their restaurants, in their facilities, in their concessions, as well. Through you, Mr. President, Senator LeBeau you mentioned there'll be an income stream for this corporation, maybe members would pay into it.

So, I have a series of questions about that. First is, does this corporation have the right to charge a membership fee? Are there mandatory members who would have to pay the fee? Or, second question would be could this sports corporation have the ability to charge a percentage on tickets at events they bring in to make an income? Through

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you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

I believe the first question was regarding an income stream. Senator, could you just repeat that for me?

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Sure, and I apologize -- thank you, Mr. President.

I apologize to Senator LeBeau. I'll do this one at a time. How would this corporation get an income stream? Through you.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

I would - I would assume that it would be contributions by members.

THE CHAIR:

Senator McKinney.

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SENATOR MCKINNEY:

Thank you, Mr. President.

And, who are the members? Through you, Mr.
President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

The members are defined in terms of the types
of organizations that would be chosen and also, you
know, one of the things that this does it allows
them to establish By-laws. So, the question, the
second part of the question, I believe, Senator,
would there -- would there be dues. There's nothing
prohibiting dues from those groups in the bill. So,
I would assume that they -- they could do that at
some future point, but after By-laws are adopted.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you.

And, is there anything that would prohibit
members from allowing the Connecticut Sports and
Marketing Corporation to charge a fee or a
percentage on tickets sold at events at a member's

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facility? Through you.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

I don't know about the legality of that in terms of our ability to -- I -- I don't believe that there's anything in this bill that would allow them to do so, but I don't think there's anything that prohibits it either.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you.

And -- and I do appreciate that answer, but maybe I could pose it another way, that if a marketing -- if this corporation has the right to charge dues of members, in other words, the members of this corporation meet; the members of this corporation draft and vote on By-laws; those By-laws therefore allow membership dues or fees. I think it's also fair to say because it's not prohibited, that those dues and fees could be paid or fashioned rather than just a strict monetary amount, in

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percentages or fees on tickets sold at events.

In other words, the XL Center could say, you know, if you -- if you sports corporation aren't going to bring extra events into the state, then we XL Center aren't going to pay more money to your corporation. Here's the events we had in 2010 and 2009 and 2008; if those are the only events we have, then we're not going to pay you anything, but if we have more events above and beyond what we've had, then we'll give you a percentage. That is one possibility that I could see happening in this corporation and I think just to reconfirm as Senator LeBeau said, it may not happen, but there's nothing to prohibit that from happening, is that correct? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

I've just been handed a note from folks who helped put this -- this bill together and they're telling me that no, no -- that no admission fee can be charged on top -- for -- on top of any other fee, say a state fee, for this organization. And I would

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like to point out, the good Senator has pointed out Harbor Yard and other places. They were part of the -- they were part of the group that put this together. Virtually every sports organization in the state wants this. They're not -- they're not concerned -- I mean, I understand the concern that the good Senator has regarding maybe an advantage that the -- that the tribes -- that the Native American tribes have in this -- in this area, but almost all the other organizations, sports organizations in the state, our Universities, Harbor Yard, various baseball teams, other semi-professional and professional teams in the state, have signed on to this bill and -- and like this bill, want to see it happen and I -- I think because, again, I don't think they're looking out so much for Mohegan Sun and for the Mashantuckets as they are hoping to boost their own revenues in going forward. Mr. President.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

And -- and I have no doubt that these venues do not oppose a corporation spending money on their

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behalf. My question is where is that money going to come from? So, if these venues are paying membership dues, my guess is, my guess is, that those membership dues are going to be paid perhaps by increased ticket prices, which means the people of the State of Connecticut are going to have to pay more to go see these events. And, so when I hear Senator LeBeau say that, you know, representatives from this corporation can go to trade shows around the country to market Connecticut, I hear higher ticket prices, money going to a corporation, State of Connecticut has zero oversight and people partying at trade shows, because that's exactly what's going to happen. I mean great, membership dues -- I get to go to trade shows. Tell everybody about the State of Connecticut.

Everybody in basketball knows about the State of Connecticut because women's basketball, college basketball exists today because of the State of Connecticut and perhaps Tennessee as well. We don't need to market ourselves for women's basketball, we don't have NBA basketball in the State of Connecticut, we never will. We don't have to market ourselves to the NBA. The people at UConn, the last

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time I checked, weren't sitting on their hands and doing nothing. They've been trying to get the NCAA tournament to Connecticut for men's basketball too.

So, I'm aware of a number of NCAA events that have come to Connecticut; I'm aware of attempts to bring in other NCAA events to the State of Connecticut; and when I'm told that there were events that were going to come but didn't because we didn't have this corporation, the answer is, well, I'm not sure what they were -- maybe a fishing tournament. Well, my guess is the 50 something square foot, you know, outdoor fishing hunting sportsman's store in East Hartford, which name I can't remember right now, is probably going to do a pretty good job of trying to bring in a bass fishing tournament to the Connecticut River or some other kind of fishing tournament. Why? Cabela's, there, I remembered it. Why? Because that's going to be important at Cabela's. Through you, Mr. President, do we as a state have any oversight role over this corporation, how they raise money and how they spend money?

THE CHAIR:

Senator LeBeau.

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SENATOR LeBEAU:

Yes, they will make annual reports to the Commerce Committee, among other things. Through you, Mr. President.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

And, what right does the Commerce Committee have or does this legislature have to say yes or no to an expenditure on behalf of this corporation? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Well, they would -- through you, Mr. President.

They'd be making expenditures on their own behalf, not on behalf of the General Assembly, not on behalf of the taxpayers of the State of Connecticut. I just want to point out that this bill is modeled after other successful sports corporations in other states. That the model has worked in other states. I'd also like to point out, I think it was the Bass Master tournament, Senator, and I didn't want to specifically say if I was

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wrong, but I believe that there was \$100,000 or \$50,000 that we could not raise at that point because people didn't know until the last minute that we were going to lose this -- this -- that tournament and it -- it was estimated at the time one hundred million -- excuse me -- \$1 million in economic activity was going to be lost as a result of that. So I -- you know -- there are -- there are things that are happening.

I -- I think this, again, this just takes a broad view of our future, it's a broad view of sporting events, it's a -- it's a way that we can plan for the future and help to energize sports in the State of Connecticut.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

And through you, Mr. President.

With all due respect, if there is a Bass Master fishing tournament that didn't come to Connecticut because someone in Connecticut couldn't raise \$100,000 and there was no one person to go to, if the Bass Master fishing tournament director didn't know that the State of Connecticut has a Governor

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and how to reach her, if they didn't know that we have a Department of Economic -- Economic and Community Development, and didn't know how to reach commissioner there, how are they going to know to reach this sports marketing corporation?

And, how is this sports marketing corporation going to reach out to them? Because, when I hear that one of the goals of this is to inventory all events that happen in the state and could be brought to the state, I think we could find an intern who works here, give them one week and they'll come up with the inventory. We can give that list to the Governor, the commissioner of the Department of Economic Community Development and my guess is, we'll get just as much done as this corporation but there we'll have control over the operations and how the money is spent.

Through you, Mr. President, if this corporation were to invest in stocks and lose money, who would be responsible for making up any lost money if the corporation were to go bankrupt? Through you.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

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Like any -- I -- I'm not that familiar with corporate law, through you, Mr. President, I'm not that familiar with corporate law, but I assume the corporation would have its assets and liquidate the assets that it -- that it does have and pay off whatever debts it could and that would be as far as it would go because we are establishing this as a corporation.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you. But -- but through you, we -- we have established similar entities where the state has backed those entities with respect to issuance of bonds and other things. Is it -- is it the Senator's position that the State of Connecticut will have no liability for anything that this corporation does? Through you.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President. Welcome this afternoon, Mr. President.

The -- this bill provides no liability for the

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State of Connecticut.

THE CHAIR:

Senator McKinney.

SENATOR McKINNEY:

Does the language specifically exempt the State of Connecticut from any liability for anything this corporation does be it invest in stocks, sell bonds, acquire/sell property, marketing the State of Connecticut, holding events here -- does it exempt the State of Connecticut from any and all liability, specifically? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

No, but it sets up a specific corporation which has its own liability which is the Connecticut Sports Marketing Authority.

THE CHAIR:

Senator McKinney.

SENATOR McKINNEY:

Mr. President, through you, the corporation has the ability to acquire and dispose of real and personal property. Could I, thorough you, Senator

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LeBeau, would you be able to describe what the intent of this language is? What type of property do you envision the corporation buying and selling? Through you.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

I would assume office equipment, communications equipment, possibly some real estate, but probable - - not likely at least initially. And, in order to have a corporation, you have to have the ability to purchase and to -- to acquire these things to do your business I think. So I think that's a reasonable piece of this bill.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

So, through you then, Mr. President, does that language about acquiring and disposing of real and personal property prohibit them from buying stadiums, ball fields, arenas, and the like? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

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SENATOR LeBEAU:

No, but it clearly is not the intent of this bill. This is a marketing corporation. This is about marketing the State of the Connecticut. This is about marketing who we have in the State of Connecticut and pulling people together in order to do that.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you. And I -- and I respect that, in fact that's why I've been such a strong proponent of tourism districts because that's precisely what tourism districts do, is market the State of Connecticut. But I am concerned about the need. Why -- why does this corporation need to sell bonds? If it's marketing, we're talking about hundreds of thousands of dollars, not tens of millions of dollars. If we're talking about buying computer equipment and office furniture, we're talking about thousands of dollars, maybe tens of thousands which you would lease, you wouldn't buy it, unless the people running this corporation aren't very smart. Why do you have to sell bonds? What is -- what is

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the purpose, through you, Mr. President, of giving this corporation the ability to sell bonds?

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

I would suspect that in the future, there may be some purchase that bonds would be necessary to sell. I -- I cannot foresee it at this point, but that is a possibility.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

Senator LeBeau, through you, Mr. President, Senator LeBeau, you've worked very hard throughout your career here on Economic Development. You've worked very closely with DECD. Is it -- is it your opinion that the Department of Economic and Community Development is totally unable to market Connecticut sporting venues? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

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Not totally unable, through you, Mr. President, not totally unable, but I don't think it's their focus. I think their focus is to -- to market the State of Connecticut generally with specific economic development projects in particular. So, I -- I think that that is not their focus and this -- I mean, what we're talking about here is a focus on sports, on athletic activities. It's different than what the kind of focus DECD currently has.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you.

SENATOR LeBEAU:

I'd like to -- may I -- may I add Senator --

SENATOR MCKINNEY:

Sure.

SENATOR LeBEAU:

May I add, Senator, through you, Mr. President.

THE CHAIR:

Senator LeBeau, yes.

SENATOR LeBEAU:

-- that DECD is encouraging this bill; DECD is asking -- is one of -- one of the groups that got

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together and helped to write this bill. They -- they see a -- a benefit in having this -- this group formed and being able to work with them as part of a marketing for the State of Connecticut and which will -- which will I think would go hand in hand. I think, you know, sports -- it's interesting in Massachusetts the sports marketing authority actually works with their -- with their film center because there's -- there's an overlap there.

And, so, they -- they work together in Massachusetts as other states that they work with -- the other departments, the departments that would be in charge of marketing. So I -- you know I think that we're looking at a -- a synergistic effect here that -- that we add one and one and we might get more than two. And, I think that that's what we're looking to do here with this -- this marketing corporation.

Through you Mr. President

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

And, through you, Mr. President, do -- do we have a similar marketing corporation for the State

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of Connecticut to market our film industry and our pretty substantial film tax credits? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

Because we do have that financial liability, yes, we do. We have the film office which was located at Culture and Tourism and last year we moved it in last year's budget bill, we moved it to the Department of Economic and Community Development. So, we do have a similar film -- film office which does a great job by the way.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

But, if -- if we have a film office within DECD which does a great job of bringing films and the like, production centers, Blue Sky Studios, Sonalysts Studios and the like to Connecticut, why can't we have a sports office within the Department of Economic and Community Development? Through you, Mr. President.

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THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Well, I think one of the -- one of the reasons, through you, Mr. President, I think one of the reasons we didn't want to add those expenses to the State of Connecticut. And, there is no income stream that is -- that is definitive that we could point out here where we can with the film office, there is a definitive income stream. So I -- you know -- and I think they prefer it that way. We have, as has been pointed out, we have many private organizations that are into sports and this is the idea -- the idea here is to help pull them together through this corporation to expand their reach, to look down the road and again, to bring future events and activities to the state for it's economic benefit.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

Through you, in discussing this corporation with the various sports related professional, semi-

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professional teams we have in the State of Connecticut, with the related venues in the State of Connecticut that host those events, is it -- is it your understanding, Senator LeBeau, that, for example, the XL Center, Harbor Yard, two venues that I've mentioned, they will spend less money on marketing themselves as venues? Will they spend the same amount individually that they spend or is it that they're just going to let the Connecticut Marketing -- Sports Marketing Corporation spend all the money? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

I can't foresee whether they'll spend more or less, but let me -- let me say what -- what XL Center had to say. The head of the -- the XL Center and the Hartford Wolf Pack -- Wolf Pack said, sports commissions have become a major factor in securing these events because they provide one stop shopping in meeting bid requirements and can leverage state-wide resources including financing to make bids more attractive.

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From the Harbor Yard, Lynn Carlotto, General Manager of Harbor Yard said, being able to attract a major sporting event goes beyond simply having the right arena or ball park; the surrounding the community and the state as a whole must have infrastructure to accommodate fans and showing willingness to support the event. Those are the kinds of comments that we -- we received on this, Mr. President, and and they show a willingness, I think, to -- to work with the state and again, to pull together our resources to do the best we can to attract more events and to create more economic activity in the sporting area.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

Look, I'm one who've argued for one-stop shopping in the State of Connecticut for everything, and why we don't have it, is still a mystery to me that our state doesn't have one place where you can go for all economic development activity. That's why I think the good Senator and I and many others agree that we should have consolidation of our

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economic development units, whether it's CDAC, CII, DECD -- we might disagree on how to do it, but I think consolidation and one-stop shopping is good.

But I hear the representative from the XL Center talk about leveraging state-wide resources and I hear money. So I hear we're going to spend more money to market Connecticut but nobody can tell me where the money is coming from. And, I'll tell you why they won't tell you -- because it's coming from the pockets of the people who go to the events, plain and simple. Whether it's the XL Center wanting to pay their dues membership to this corporation, they're not going to just give it away. They're going to charge people more for tickets so they can cover whatever it costs to pay their dues.

So, of course, it's great for the XL Center and other places to say, Connecticut's going to market us, but what they won't say is how they're going to pay for that marketing. So, we're talking about a corporation which has no oversight by the State of Connecticut, other than just reporting to the Commerce Committee. We can't stop them from raising money, selling property, selling bonds, we can't do that. We don't know what they're going to charge

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for dues, how they're going to charge it, and who's going to pay. We can't do that. We know that this has been equated in Massachusetts to the film industry. Well we do that, as a state, through DECD and an office in state government. Why? So we can have oversight of it.

But here we're going to have a corporation do it. Why? Because there's no income stream. Well, I thought this was going to make money for the State of Connecticut. Just like the film industry does. So if we're going to make money for the State of Connecticut, DECD should have money coming in, rather than money going out, or money coming in, in excess of the money going out. There isn't a person in this legislature who has said government's too small, let's grow it. But this is what we're doing, we're creating this new 21 member corporation and we're saying go market sports because somebody who runs a Bass Master fishing tournament couldn't come to the State of Connecticut.

We didn't need this corporation to host the NCAA women's basketball tournament games. We didn't need this corporation to host the NCAA men's hockey games. We didn't need this corporation to bring in

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boxing matches to see some of the best boxers in the world fight. We didn't need it. We didn't need this corporation to bring in rodeos, gymnastic events, youth hockey tournaments, baseball tournaments, softball tournaments, all going on in and around the State of Connecticut. Remarkable that these things happened without this corporation. We need more government; we need bigger corporations; we need more entities to market us; we need these people going to trade shows around the country -- sign me up for the ones in California and Las Vegas and Colorado, please, I'd like to go. Chicago's a nice place too. Who's going to pay for this? Every single one of your constituents that goes to a basketball game or a hockey game or a baseball game or a rodeo or a boxing match, is going to pay for this, but they don't know it and neither do we and we can't control it, because we've given authority away.

These people can sell bonds; they can buy property and sell property; they can invest in stocks and we can't control it. No oversight, zero, zip, nada. When something goes wrong with the film industry, I know I can call Commissioner McDonald or

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the Governor's office and say, what's going on? When something goes wrong with this, nothing. Why is it that we always need another agency, another body, another task force, another group, another corporation, another organization, another body of people to get together to do something that we should have done already and quite frankly, the evidence is we already are doing it.

Take the list of professional, semi-professional and amateur sporting events that happen in the State of Connecticut now and the list that haven't happened because we don't have this corporation, and my list is 100 times bigger than yours. Because there are hundreds of events happening right now in the State of Connecticut and the example, the need for this corporation, is one fishing tournament. We have a professional golf association tournament that's held in Connecticut. We have golf clubs, private and public, that routinely seek to have things like regional amateur opens or regional professional golf opens, women's PGA tour, LPGA tour, senior PGA, the senior PGA tour held an event in Fairfield, Connecticut; the LPGA held the US Open in Fairfield, Connecticut, golf

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courses bringing in economic development activity.

My God, can you believe they did that without this corporation? Professional golf tournaments, rodeos, basketball tournaments, professional basketball, baseball, semi-pro, independent professional leagues, all happening in the State of Connecticut, right now. But because one fishing tournament didn't come here, we need to set up a corporation; we need to let them charge more money on their tickets so they can have funding. What's going to happen when this corporation wants to bring in an event and they can only go to one venue and not the others? Is this corporation going to pick the venue that pays more in dues? Can we control that? No.

Are they going to split the money, Mr. President? Maybe they'll say, look, this basketball tournament only wants to come to one venue in Connecticut. We have five that can host it, so come on to one and we'll split the money with the other five. I don't know if that's going to work. If I'm owning the company that's bringing in the one, I'm not splitting the revenue. Did we have two of our better universities in the state, Fairfield and

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Yale, collaborate with a private arena and work with the NCAA to bring in a hockey tournament? Yes, we did.

Amazing that they were able to do that without this corporation. It's quite startling. Professional hockey teams have started and folded, all without the benefit of this 21 member corporation that has the right to invest in stocks, sell bonds, charge dues, all of the things a company can do in the name of improving our sporting events in the State of Connecticut. Because, I guess, our DECD is a complete total failure in doing so. The last time I checked, the one major sporting event which looked at pulling out of the State of Connecticut was saved here by the Governor's office and the office of Commissioner McDonald.

I actually think whoever was running this fishing tournament must not be very bright if they didn't think about picking up the phone and calling Governor Rell's office or Commissioner McDonald's office and saying, hello, State of Connecticut, we'd like to introduce ourselves. We're the Bass Master fishing tournament. We're going to bring in hundreds of thousands of dollars of economic

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development opportunity to your state. How would you like to have us? My guess is the Governor's office and the Commissioner's office, are going to say, come on in, let's have that conversation. Now, why do I guess that? Because that's what they've done.

So, we're now going to assume that because the Bass Master fishing tournament director didn't know we had a Governor and how to contact her; didn't know we had a Commissioner of Economic Development and how to contact her, that they're going to know about this Connecticut Sports Corporation and know how to contact them. Wow. So, if everybody wants more government because the government in the State of Connecticut is too small, vote for this bill. If everybody wants less oversight how we spend and market our money and our state, vote for this bill. If everybody believes that the hundreds, hundreds of sporting events that have come to the state of Connecticut over the years are inadequate because we missed that one fishing tournament, vote for this bill.

I know the good Senator's intentions are well-meaning and I know that all of these arenas from

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Harbor Yard to XL Center and everything in between want more economic activity. One of the reasons why places like Harbor Yard, by the way, are hurting so much is because we did all those ticket taxes years ago. Another reason is we do have two casinos that have billions of dollars in marketing and advertising that take events away from these other facilities. None of that is going to change. But we're now going to have a website, Mr. President, a website that displays all of the opportunities in the State of Connecticut. I guess DECD doesn't have a website.

We're going to inventory all events. It would take an intern less than a week to inventory all events in the State of Connecticut and all the facilities we have and all of the opportunities. We had people like Mayor Finch work very hard in Bridgeport to bring women's college basketball tournaments into his city; brought a lot of economic development opportunity; he did a very good job with that as did the arena that hosted it. But I guess we need this new corporation.

What are the tourism districts doing? What are they doing? And, I know they're funding has been

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cut and I think that's unfortunate, but aren't the tourism districts marketing the State of Connecticut?

Now granted they're not marketing it just for sports, but I'd be surprised, no I'd be shocked, if our tourism districts in working and marketing the state don't include the ability for sporting events, in fact, I know they do. So we need to duplicate the efforts of the tourism districts; we need to duplicate the efforts of the marketing of these venues; we need to duplicate the efforts that are done by Mayors and First Selectmen where these venues are held; we need to duplicate the efforts of our Department of Economic and Community Development. We need to just -- if we're doing it, let's do it differently, let's do it again. We don't have enough government, we don't have enough agencies, quasi public agencies, non stop corporations marketing the state - we need more.

We need bigger organizations. We need more people doing the same thing. We need one place where someone can go for sporting events. What if they go to a tourism district? That's not one place, so the tourism district's not going to do

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sporting events now. What if they go to DECD?
That's one place, but I guess they're not going to go to DECD -- if they called DECD what does DECD say? No, I'm sorry, we're the Connecticut Department of Economic and Community Development; we can't deal with your sporting event, please call our sports marketing corporation. Or they call a tourism district -- no, I'm sorry, I know we market the state and tourism and we want you to come here and stay in our hotels and visit our sites and shop in our shops and eat in our restaurants but we can't help you with this, go to the sports corporation.

What about if somebody calls a Mayor? Mayor Boughton, we'd like to come to Danbury, please? Thank you, that'd be great, I want you here, but you're a sports event, no, you got to call the sports corporation. We just have too many of these things. Sports is an important part of our economy in this state and it should be run through an office in the Department of Economic Community Development. This corporation if it doesn't spend any money, great, they won't be able to do anything. So to be successful they're going to have to spend money and where is that money coming from?

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It has to come from the people of the State of Connecticut; it's illogical to assume otherwise. Are these venues just going to give money and then not get it on the back end? Many of them are struggling already. No, they're not; they're going to charge more in their concessions for their hot dogs or their sodas; or they're going to charge more for their tickets so they can pay dues to this corporation. It means the price goes up for all of our constituents who go to these events. Maybe not a lot, but most families are getting priced out of going to sporting events as it is. o

So if we're going to give this corporation the right to spend money, to raise revenue, to sell bonds, to invest in stocks, shouldn't we have oversight? I just think this is -- although well-intentioned, very, very unnecessary and when you balance the risks on the one hand we get a fishing tournament; on the other hand stocks are invested in and money is lost; bonds are sold and money's lost; property may be swapped; marketing corporation executives are out at trade shows around the country spending dollars, dollars which do not come from nowhere, they come from people.

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On balance, if we care about sports and marketing, let's open up an office within DECD, one person, specifically report to the Commissioner, whose role is just sports. They can do all this and more and we get to have oversight over it and if this doesn't cost any money, then neither would that office as well, because apparently it's going to bring in a lot more money than it spends and I know we won't have state employees running around to trade shows paid for by my constituents who might want to go see a hockey game or a basketball game or a baseball game in Bridgeport, Connecticut. Mr. President, I urge rejection of this bill.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Thank you, Mr. President.

I hear Senator McKinney's concerns, but I want to share with the circle a comparable facility in the State of New York. It's called the New York Sports Authority. And it has been a net help to sports -- to the promotion of sports in New York. I used to be counsel, legal counsel, to the New York Islanders of the National Hockey League, the Nets of

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the National Basketball Association, and the Women's Tennis Association and I -- I had to deal with the New York Sports Authority. They helped provide coliseums; they helped facilitate franchise arrangements; they were a body that was very helpful, in fact, the general partner of the New York Islanders and the Nets, when the Nets were in Long Island and were called the New York Nets, starring Julius Irving, was a friend of Senator McKinney's. His name was Roy Bow. Roy Bow. And Roy was -- was particularly adept -- Roy died a couple of years ago, but Roy was particular adept at working the benefits of the New York Sports Authority.

So, I think as you look at what we've done in Connecticut and what we have not done in Connecticut in sports and assuming that the cost is not as great as Senator McKinney is -- is presuming, I think we come out with a great benefit and I -- I urge support for Senator LeBeau's bill. Thank you, Mr. President.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

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Thank you, Mr. President.

I supported this bill as the ranking member of the Government Administration and Elections Committee and the concept I like very much. But I do have some questions for the proponent of the bill.

THE CHAIR:

Senator LeBeau.

SENATOR McLACHLAN:

The City of Danbury and the greater Danbury area decided back in 2003 about the time that the tourism districts were restructured and the regional tourism districts were reduced in number and we felt, in the greater Danbury area, that the impact of that restructuring may sort of leave western Connecticut which we consider to be the gateway to New England, somewhat less represented in tourism marketing.

Some very sharp volunteers created back in 2003, with the help of the chief elected officials and the support of the Housatonic Valley Council of elected officials, they created a 501(c)(6) nonprofit corporation known as the Housatonic Valley Sports Organizing Committee, and acronym HVSOC.

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This organization seems to be a mini version of what you're talking about here in this legislation. And what they've done with a volunteer board, contributions from like-minded local regional corporations, have marketed the Housatonic Valley, which we call it -- the greater Danbury area, a ten town region, have marketed sporting events.

And those events have included NCAA National Championship for Division three. Little old Danbury was -- was the host of Division three National Championship basketball game. We also have Bass Masters. We have a number of other events, cycling. We had a national cycling event with world renowned cyclers that came to Danbury. This organization has also recruited the Special Olympic Regional Games to be hosted in Danbury when they were hosted in another area of Connecticut before.

We just finished our two year agreement for the Nutmeg Games in -- in the greater Danbury area. And, when I say Bass Masters, we also had the Foxwoods Professional Bass fishing tournament. And so, the Housatonic Valley Sports Organizing Committee, I think has done a wonderful job on a volunteer basis looking out for western Connecticut

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in trying to find some -- some good sports activities, sports -- sporting events in our area. Now the organization itself just completed, just finished hosting the annual Danbury Half Marathon, which ran on Sunday, April 11th. And this event includes a 5K and a kid's race and it was really a big event. It runs through Danbury, Bethel and Redding.

Later this year, the Housatonic Valley Sports Organizing Committee will host a sprint triathlon at Candlewood Lake on September 18th. So I mentioned some of these events just to say that we've had some -- some really terrific success, we think, in western Connecticut trying to recruit sporting events to our area.

And so here is my question to the proponent of the bill. How will this new organization interact with a well-developed, very efficient, sports marketing committee that serves western Connecticut? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Thank you, Mr. President.

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I'd like to thank the good Senator for his support of this bill on GAE Committee. And I would say that they'll -- they'll react in a very positive manner. There -- there may be other institutions from western Connecticut and from the Danbury area that may be appointed to this group and -- and I would think that there will be from -- particularly from western Connecticut.

If you don't mind, Mr. President, I'd like to continue kind of talking about that a little bit. It was mentioned earlier that there was no or -- or little oversight. One of the things I failed to mention earlier is that the commissioner of DECD, Commissioner of Culture and Tourism, would be a member of the -- of the sports marketing body and that -- so that would provide another level of -- of oversight, kind of in a -- in a on-going way and I -- I think I know where you're going with the next question, Senator, but I'll let you do it. Through you, Mr. President. Thank you.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Okay. Thank you, Mr. President.

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And, through you, here's my concern. My concern is that a state-wide organization is not going to be communicating well with this regional organization and it's my understanding that there may be more regional organizations of this nature currently operating in Connecticut. I just want to be sure that this state-wide organization is going to be sensitive to an organization that already has a track record; already is very productive and is working diligently and very hard with our limited resources of volunteers and contributions; that -- that our successes will not be trumped by a state-wide organization essentially that might want to grab some of our events and bring them somewhere else.

So, that's my concern. We need to have a good working relationship especially given -- we already have the best practice right in the greater Danbury area of how to do this on a regional basis and I -- I want to be sure that this new organization is sensitive to the regional concept of sports marketing, number one. And, number two, is going to be working as a strategic partner at all times in -- in all of their marketing efforts. Through you, Mr.

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President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

I think it's a -- a very valid concern and -- and I would share it if I were you, Senator. And, I -- I would say that this will not take away anything from what is going on now and hopefully that this group will help add to that by bringing your group in or that group in from Danbury to help give it more -- the things that are occurring there, give it more publicity and more marketing, specifically.

You know, it was mentioned earlier about state-wide marketing. Our budget for right now for this year for state-wide marketing is zero. So, some discussion earlier about state-wide marketing, we are doing no state-wide marketing. We don't have the book going out this year. We cut the budget for that last year in -- in this budget crisis that we're facing and so, it's easy to say, well we should be doing that as part of our state-wide marketing, but we're not doing state-wide marketing. And this group has the ability, we'll have the

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ability to work with groups like the group that you're talking -- that you're concerned with, Senator, to help add to that.

And, you know, the question also has been raised about dollars -- where are these dollars coming from? Yeah, and I agree with Senator McKinney that the dollars that will come, will come from the people who go in and pay the admission. Where else are they going to come from as -- as he stated. But, what Senator McKinney failed to note, is that we may have more admissions. If you have an event that has 10,000 people attend it, you have a -- at a -- at a certain cost per -- per ticket, that's one thing. If you have 15,000 people attend it, that's -- that's 50 percent more dollars coming in and that's where the dollars will come from. To assume that we're -- we're living in a static world is -- is one thing. But, this is not a static world.

Who would have thought 30 years ago -- who would have thought 30 years ago that a station that only had sports on it, only with sports and including some pretty funky sports, like, you know, sports that people were not familiar with, rather

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arcane, who would have thought that that -- that that corporation would now be a multi-billion dollar corporation in Bristol. We have to have a little vision here. We have to look beyond what we have to what might be and that's -- that's what I think -- that is why we have this bill. And, the intent, Senator, is to work and be very sensitive to every organization that currently exists and to work with them to help them grow not to take away anything from them. Through you, Mr. President.

THE CHAIR:

Senator McLachlan:

SENATOR McLACHLAN:

Thank you, Mr. President.

Thank you, Senator for your answer and -- and apparently we share the concern and -- and vision, I guess, for this idea. I would encourage the organizers of the new sports marketing corporation to include the Housatonic Valley Sports Organizing Committee as a representative on their board because they have already, as I've mentioned, the best practices of how to do this on a regional basis.

And, when I say that we have partners in this, volunteer partners and good corporate partners, it

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is all funded by donations. I'd like to also mention that those of you who are hockey fan, of course, remember the Hartford Whalers and I'd like this circle to know that the Whalers are still in Connecticut, they're now in Danbury. It's a professional hockey team and their up and running and we hope are going to be very successful at the Danbury arena. Also, I heard someone say, and I'm afraid I've forgotten who said, that the Bass Masters has left Connecticut.

But, I want you to know that the -- the Bass Masters is scheduled for May 15th at Candlewood Lake and the registration deadline is this Saturday, May 8th. So, Bass Masters is here in Connecticut and I think the Housatonic Valley Sports Organizing Committee was helpful in helping to keep that organization and that event here in Connecticut. I might add that the Department of Environmental Protection has a -- has a good group of people that work with the fishing tournaments to keep them coming here to Connecticut. Thank you very much, Mr. President.

THE CHAIR:

Thank you, Senator McLachlan.

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Senator Guglielmo.

SENATOR GUGLIELMO:

Thank you, Mr. President.

I just wanted to make a clarification on one point. Maybe somebody's already made it. I was on the phone so I'm not positive. On the Bass Masters tournament which we've talked a lot about, the company that does that is the Bass Angler's Sportsman Society and their owned by ESPN in Bristol. So, I -- I doubt that they didn't know who to call in Connecticut if they wanted to stay here.

And, that tournament kind of bothered me when we lost it back in 2005. I'm not a fisherman, but I just thought that, you know, ESPN being a home based corporation and the fact that we had, by we I mean the taxpayers of the State of Connecticut, had given them a manufacturer's assistance grant of \$700,000 that in a close competition between Connecticut, Hartford, Connecticut and Pittsburgh, Pennsylvania, that they would give us the hometown edge and -- and that didn't happen.

So, I -- I think the folks who sponsor the Bass Master tournament, ESPN, I think they knew full well who to call. They certainly knew who to call when

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they were looking for the grant money. Thank you,
Mr. President.

THE CHAIR:

Thank you, sir.

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

Mr. President, it's good to see you this
afternoon. You know this whole discussion certainly
brought back a lot of memories for a lot of us; I'm
sure yourself indeed --

THE CHAIR:

Sounds fishy to me, Ma'am.

SENATOR BOUCHER:

Well, no I think we're going to move from the
fishing sporting arena to the football arena. Many
of us remember the great debate --

THE CHAIR:

So the old bait and switch then, Senator
Boucher, okay.

SENATOR BOUCHER:

Very good, very good, Mr. President. And --
and much appreciated humor in this late time of our
session. No, we talk about the New England

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Patriots, you know that -- that little tiny franchise just to the north of us in a small state our neighboring Massachusetts, that -- and -- and let's talk about a little bait and switch there, in fact. I think it's a good thing you brought that up.

When the State of Connecticut -- being a small state we all know we're a very small state; we're number three in the country in population and in size, but we did have and flirted with a moment of fame. They say we all get about 15 minutes of fame -- when the -- this particular team was in the process of negotiating a possible move to Connecticut when we later learned that in fact it was just a move to create a better negotiating strategy for them to upgrade their facilities in Massachusetts. So, it -- it was certainly evident at that point, there was a lot of command focus on the state to try to negotiate with them. However, it should be noted that we are a small state and that it is probably preferable, given the discussion we've had this afternoon, to let the private sector and private investors decide if in fact a venture of any type of sports project is, first of all, viable,

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economically feasible due to our location, due to our population, due to it's fan base and advertising dollars that can be gained.

In other words, it has to make sense, it has to be sustainable. And we are sandwiched between two very large cities, Boston, New York and even New Jersey has some very viable sports franchises. But, it's -- it's becoming more and more clear that it's -- it's better -- maybe this type of project, this endeavor would be best left to the private sector to make that decision and in consultation with both the state government and -- and city governments to decide in votes that can be made on a local level, that taxpayers would support the possibility of additional funding going to say a sporting arena to be built or what have you.

There have been questions that have been raised that if something like this were to be created, would it have to have a president. Would that president and his staff have to be paid and if so, would it cost in the hundreds of thousands of dollars to be able to do that? So, I guess the bottom line is that this proposal is really fraught with a lot of unanswered questions to date, as been

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brought out by a number of speakers this afternoon, our minority leader in particular and that -- that my sense that I've gotten over the course of this discussion, is that these kinds of endeavors need to be made financially feasible and that a sports franchise should be able to be sustainable and that it -- especially if it's asking for public funding.

And I think that given the questions raised by the lack of oversight in this and the number of dollars that would be entailed, that maybe this is better left to the private sector for the sake of the taxpayers in Connecticut. Thank you, Mr. President.

THE CHAIR:

Thank you, ma'am.

Will you remark further?

Senator DeBicella from the 21st district.

SENATOR DEBICELLA:

Thank you, Mr. President. Good afternoon.

THE CHAIR:

Good afternoon, sir.

SENATOR DEBICELLA:

Mr. President, I have listened to this debate and, in listening to Senator LeBeau and Senator

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McKinney go back and forth, have actually changed my mind on this bill. I initially looked at this and said, well of course we want to promote sports in the State of Connecticut. They are something that is good for the economy, it's good for our culture; it's something that we actually want to make sure that we have a vibrant sports industry here in Connecticut.

But as I listened to Senator McKinney and Senator LeBeau go back and forth, I asked myself, well is this something that the sports industry needs the State of Connecticut to get involved in, in order to be successful? And, as I've listened to the debate, I think the answer is no. If you look at what this corporation is actually supposed to do, they're doing things that if you were to look at professional sports, private organizations actually deal with, right? Inventorying all the sports in the state; maintaining a website; marketing state sports events; representing the state at industry trade shows; raising private funds for the marketing of sports events and, you know, getting loans and gifts and etc., to actually help out.

Replace the word amateur with professional and

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it is the NFL, it's the NBA, its major league baseball. So, this is an area where the private sector has already dealt with professional sports teams. For us here in Connecticut, there's no reason if there were a need for this, that our sports organizations, our amateur collegiate, semi-professional and professional sports organizations couldn't do the exact same thing. And I haven't heard a clamoring from the sports community for this. I think as Senator McKinney said, we have some amazing sports programs in the State of Connecticut.

If you actually look at whether it's UConn basketball, whether it's the Yale/Harvard football game, whether it's amateur and collegiate sports that are around the state, or, you know, whether you actually look at some of the professional sports that have been played in the state in the past, we have a vibrant sports community. And the question is, if we were to put this into effect, would it actually accomplish what we wanted to accomplish better than what the private sector could do. And, to me, Mr. President, when I originally looked at this bill, I said, well, you know this is mostly

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harmless. It's not something that I look at this and say, Oh my gosh, this is going to be a -- something that's destructive to sports industry, but instead I look at this and say, well, do we need it? We debate so many things in this chamber that are of great import and then we debate things that maybe we just don't need to be involved with as a government and this is one of them.

So, Mr. President, as I actually look at this, you know, I'm not a tremendously athletic person myself, but I actually do respect those who have this athletic ability and believe that we should be promoting these events in our state. I'm just not sure creating -- artificially creating a corporation through the legislature is the correct way to actually do this. Now, if I may, Mr. President, just through you, a couple of questions to the proponent of the bill.

THE CHAIR:

Senator LeBeau.

Senator DeBicella.

SENATOR DEBICELLA:

Thank you, Mr. President.

Through you, Mr. President to my good friend

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the Chairman of the Commerce Committee, you know, have we actually heard from some of the sporting organizations around the state whether they be amateur, collegiate or professional, that there is a distinct need for an organization like this?

Through you, Mr. President

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

Let me take a broad view at this and then answer it specifically. We talked -- there's been a lot made about loss or potential loss a couple of years ago of the Bass Masters tournament, and Senator McKinney also mentioned that we almost lost the PGA' now -- PGA tournament. Now that may -- that probably would not have happened if this organization had been in existence. That would have been foreseen, it would have been dealt with, probably a year and half in advance and we would have had the ability to look at that.

A couple of years ago we had -- we had a scheduling conflict between the Buick Championship and the Pilot Pen, another problem that would have

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been foreseen. And we mentioned the loss of the bass fishing tournament in Hartford. But, in terms of those folks who have come in and said that we -- we need this, let's start off with the -- the Executive Director of the Commission on Culture and Tourism, Karen Senich; we've heard from CBIA; we've heard from Jim Abromaitis the Connecticut Chairman of the Sports Advisory Board which recommended this -- this body.

From Judy Greenman, the President of the Connecticut Commerce of Independent Colleges; Eugene Doris the Director of Athletics at Fairfield and Southwester Connecticut; Charles Stedman, the Senior Vice President of Northland AEG; George Francis the owner of Quasi Amusement Park; Joe Perillo the Director of Member Services Connecticut State Golf Association; Joyce Wong the Director of Athletics at Eastern Connecticut State; Lynn Carlotto the General Manager of the Arena at Harbor Yard who I already mentioned; Alan Victor the President of the Hartford Whaler's booster club. So, they think that there's a need for this organization. And, I'd like to point out this is, although being established by this legislature, not a public sector organization.

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We are not going to fund this with taxpayer dollars. Those of you -- and -- and I think that was one of the concerns of the direction of why this was set up in this direction is that we did not want to make this a taxpayer funded organization, which is why it took the shape that it did. I hope I've answered your questions, Senator DeBicella.

THE CHAIR:

SENATOR DEBICELLA:

Thank you, Mr. President.

Yes, Senator LeBeau, has and -- and I actually do agree with him on the two points he made. Is one is it certainly sounds like from the testimony that there was demand from various sports organizations for something -- for some coordinating authority, I would call it, is there some need from the examples that he pointed out to have some form of a coordination between sporting events to promote them, to make sure there aren't either scheduling conflicts or if someone's thinking of leaving the state, that there is someone who's responsible for going and saying, hey, wait a minute, did you think about all Connecticut has to offer. He also said that this is being set up as a corporation not

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quasi-public agency, and I agree with that.

There is nothing in this bill that says it's going to be funded with taxpayer dollars. So my question, Mr. President, through you then, is if all these people and all these organizations wanted it and all this legislation is doing is setting up a normal corporation under our laws, why couldn't they just do it? Why couldn't these organizations just come together in a meeting and say, we're forming a corporation with this board of directors to actually go forward? I think my question is less so about the need for this now, than it is about why we do we need legislation on it? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

I think the sports advisory board which we established a year ago, or it -- I'm not sure it might have been two years ago, came together and saw the need for this organization and they saw the need because I think they felt, and I agree with them -- I agree with them that this puts -- when they -- when this board speaks it is speaking as the sports

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marketing corporation of the State of Connecticut and there will be, as I had mentioned previously, there will be on this board of directors, in addition to the 21 voting members, Culture and Tourism will be there; members of the Commerce Committee will be on it; DECD Commissioner will be on it, so they will speak with the voice of Connecticut, in terms of saying to the rest of the country, this is what Connecticut has. It's us, it's our state.

THE CHAIR:

Senator DeBicella.

SENATOR DEBICELLA:

Thank you, Mr. President.

And, I thank Senator LeBeau for the answer to that question because it certainly seems like from what he's saying, the only reason why we would do this as legislation rather than getting all the sports organizations in a room and forming their own corporation, is some kind of official -- official seal, that there's an official-ness about it that would enable them to say, we are the officially sanctioned, you know, corporation for Connecticut.

And -- and so Mr. President, I'm going to

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continue to listen to the debate as we move on today. Because I actually -- I -- I do agree what Senator LeBeau has said that there is a need for some kind of coordination and there is some kind of need for a coordinating authority. Whether or not we need this legislation to do it, I'm going to continue to listen to the debate and see if I feel that this is what's necessary to accomplish the goals that I personally agree with Senator LeBeau on, just not sure if this legislation's what's needed to actually to get those done.

So I'll continue to listen to the debate, Mr. President and I thank the good Senator and thank you.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate Bill 455?

Will you remark further?

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

Mr. President, to the proponent of the bill, if I may.

THE CHAIR:

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Senator LeBeau.

SENATOR FASANO:

Thank you. Mr. President, as I understand this bill, in section one through nine, there is a requirement as I understand it, that the Commerce Committee would be the standing committee for which report of the corporation's annual budget and activities would be reported to. Is that correct? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

That is correct. Also, the members of the Commerce Committee as I also mentioned to Senator Debicella, By-laws shall provide, when they come up with the By-laws, that they shall provide that the DECD Commissioner, the Secretary of OPM and the Executive Director of Culture and Tourism would serve on the -- as ex-officio members of the board to work with them and to stay in communication with them.

THE CHAIR:

Senator Fasano.

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SENATOR FASANO:

Thank you.

Before I get to the ex-officios, I'd like to just stay with respect to that section one. What is the purpose if I may, through you, Mr. President, to Senator LeBeau, what is the purpose of that disclosure and that submittal? What is the intent to achieve by virtue of that submittal? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

Referring to section one, lines one through nine, approximately?

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Yes, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

As the legislation indicates, the report shall summarize the corporation's annual budget and

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activities, including but not limited to, the economic impact at sports and sporting events and activities have had on the state in the preceding year. So, I think we want to take a look at how are they doing and are they -- are they doing the job that they are intended to do.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

Is the import of that that if they didn't show what the Committee would believe is a measureable success, the Committee would have the ability to then say, this is enough of this particular corporation? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

That is not the intent, but that certainly could happen. If we're helping to create this corporation through -- through legislation, we could certainly delete it through legislation.

THE CHAIR:

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Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

And would that also be true if there were budgets and expenses that were shown, would this Commerce Committee have the ability to review those budget expenses and say, you're spending too much money on this and you're not spending enough money on that and you're spending too much money over here. Would -- is that also the import of that or would that be off-limits with respect to the submittal? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

Since those same committee members and OPM would have a voice on the -- on the board, I don't -
- I think they would have prior opportunity to talk about -- in terms of, let's say there are contributions from -- from members; let's say there are dues, perhaps; dollars are raised and they're spend in certain ways, that the -- through OPM, the Governor and the Commerce Committee and DECD and

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Culture and Tourism, would all have a chance to say that before any final report would come in.

So I think we'd have lots of opportunity to -- to make -- to make our opinions known. As you know, we do not have a vote. Those -- those bodies or those groups, those individuals, do not have a vote on the -- on the board, but would have an opportunity to have that conversation previously. And I -- I would be averse to telling, through -- through a mechanism of a report, to telling the board what to do. I mean, if -- if they're going to have a group of folks get together representing both professional and amateur athletics and college athletics and perhaps even high school athletics in the state, then we would have at all levels and from every geographic region of the state, then we have to give them some ability to make decisions about what they're doing.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

As I understand the Commerce Committee, there are over 20 members, is that an accurate statement?

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Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

That is accurate, 21 members.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

And, through you, Mr. President, it's my understanding that the ranks of Commerce and the chairs of congress -- of Commerce would be ex-officio with respect, but not all 21 members, is that correct? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

Yes.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

So, it could very well be that the ranks and the chairs of the committee giving their input as an ex-officio may very well believe that the budget and

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the expenses are in line with your way of thinking but perhaps the 16 remaining members or -- I can't do my math, so 17 remaining members, may not be agreeable to that. They may have an issue. I mean that is theoretically possible? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

Yeah, I don't want to get to the math of that, Senator, because it's 21 members on the board itself and then -- then the others are in a sense, in an advisory position or would be ex-officio members of the board and not have a vote, so the answer is, yes. It could be a difference, it could similar and they -- they could be split as -- as we are right now.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

I apologize because I think my question was -- was confusing. There are over 20 members of the Commerce Committee, so the four ex-officios on this

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particular corporation would be part of the discussion when the budget of this particular sports corporation is created. But when the budget and expenses and results are submitted to the Commerce Committee, the chairs and ranking members who have previously participated in those discussions may be okay with it, but the balance of the Commerce Committee could very well theoretically not agree with the budget or the measurement of success in -- in deference to the chairs and ranking members. Is that correct? Through you, Mr. President.

THE CHAIR: ~~2~~

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

That is theoretically correct.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

So in that case, if the Commerce Committee as a whole were to disagree with the chairs and ranking members and believe the measurement is -- is not appropriate or the budget is not appropriate, either income side or the expenditure side, would it be the

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position that the Commerce Committee could then like, for lack of a better term, demand a change to the budget? Would they have that power as a Commerce Committee to demand a change in the budget? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

No. This is receiving a report. That is the function of the committee; to receive the report on the activities of the prior year.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Right. And, if they were unhappy and they suggested, hey, you're spending too much or you haven't raised enough or you're going in the wrong direction, certainly the corporation could thumb their nose at that committee; however they'd be potentially subject to legislation that dissolves this very corporation. Is that correct? Through you, Mr. President.

THE CHAIR:

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Senator LeBeau.

SENATOR LeBEAU:

Though you, Mr. President.

That is correct.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

Mr. President, if I could then move to section -- lines 24 through 25. Am I correct in that four members of the University of Connecticut or the Connecticut State University system would be on this committee? Through you, Mr. President. Or on this corporation? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

That is correct.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

And, it's my understanding that they would serve as board of directors. Is that also accurate?

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Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

That is correct.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you. And, Mr. President, the powers of this Connecticut Sports and Marketing Corporation are enumerated and some of those powers is the ability to acquire or receive property. Is that correct? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

That is correct.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

In addition, they'll be able to receive money for its purposes by acceptance of loans. Is that

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correct, Mr. President? Through you.

THE CHAIR:

Senator Fasano -- LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

I -- I'm looking at that section. I -- I'm going to say, I don't remember loans specifically, but because it is part of a kind of the -- yes, it is. Yes it is, correct.

THE CHAIR:

Senator Fasano.

SENATOR FASANO: "I

And I apologize, Mr. President. Just for Senator LeBeau, it's -- it's lines 83 through 86. In addition to that would be contributions, gifts, grants, donations requests, or devises, et cetera. Those would be a list of the enumerated donations, if you would, that this corporation could receive. Is that correct?

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

That is also correct.

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THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President. Mr. President, now if we could go back to the ex-officio language which is on line, as I understand it to be, lines starting 34, but most predominately 42 through 48. It's my understanding these ex-officios who would be among others, the Commissioner of Economic Development, the Secretary of OPM, the Executive Director of Commission on Culture and Tourism and the Commerce Committee ranks and chairs would be ex-officio. Is that a correct general understanding of that provision? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

Yes. That is also correct.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

And -- and what would be the powers of the ex-officios on this committee? What would -- they're

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not allowed to vote, so what would you expect these ex-officios to participate in? What type of decisions?

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr.. President.

I think that they might participate in all types of decisions and bring their expertise and their experience to this board. And to be able to advise the board on it's -- the variety of different kinds of activities, whether it's specifically marketing, types of marketing, potential sources of resources, a variety -- even -- even having discussions with the legislature. I think those -- those would be some of the -- I mean, that's kind of I think what the ranking members would bring and also with the -- the chairs of -- of the committees.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

With respect to that last statement to have discussions with legislators, if I may, Mr. President, line 127 through 132 with respect to

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ranking members and chairs, that section as I understand 127 says, no substantial part of the activities of the corporation may consist of carrying on propaganda or attempting to influence legislation. If that applies to the ex-officios being these legislators from commerce, would they be precluded from voting on any legislation or talking to other legislators about legislation associated with this corporation? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

No. I think the -- the key -- the key here is the -- the modifier is no substantial part of the activities of the corporation may consist of carry on propaganda or attempting to influence legislation. But then as -- then as the -- the line continues, the corporation may not participate or intervene in any political campaign and I -- I think that -- you know that -- to ensure that this not become a political -- I think what we're trying to say here and I think to be clear about the intent, is this not be a political body or a lobbying -- or

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a lobbying group, per se.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

In line 129 through 132, I think it's fundamentally clear that a corporation may not participate or intervene in any public campaign, and I get that and that makes sense to me. In line 127 through 129, it says attempting to influence legislation. We're not talking about campaign, we're talking about legislation. Would it not be true that if the -- if this corporation wanted to have votes on changing it's corporation rules or even votes on the budget that they had, vote of confidence. Wouldn't that exclude the ex-officios from participating in any -- any legislation associated with that corporation?

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Thank you, Mr. President and through you.

I would say for legislative intent, that that would not.

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THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

Mr. President, would the ex-officios be considered board of directors under that definition as cited above? If Senator LeBeau would like me to find that particular section, I will. I believe I'm talking lines 18 through 48. Would ex-officios be considered board of directors?

THE CHAIR:

Senator LeBeau.

ei.

SENATOR LeBEAU:

No, they would not. And that may be very clear, because in line 18, excluding ex-officio members, the initial board of directors shall consist of not more than 21 members excluding ex-officio members.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

Mr. President, with respect to, through you, Mr. President, to Senator LeBeau, with respect to

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the University of Connecticut and the Connecticut State University system members who are participating as board of -- as board of directors on this board, they would be on a board that would be receiving gifts and contributions and donations. If that is true, and I think Senator LeBeau has indicated that perhaps that is true, would that violate any of our state ethics rules with respect to an interest and gift bans and contributions and donations? Is there a violation in our ethics rules with respect to that? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

I would not think so because I think our gift bans are pretty much directed -- we take gifts all the time, University of Connecticut, Western Connecticut, Central Connecticut, we're always taking gifts, you know \$3 million gifts, \$2 million to build hospital sections or to help with cancer or whatever. I would say, no, because it's -- as long as those gifts are not directed towards individuals and I -- and I would say that so, that is what is

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intended here that there should be no gifts towards individuals.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

Well the gifts that you refer to are gifts that are in the educational state system, associated with a state university in its totality. The gifts we're talking about here is a gift which a state employee serves as a board of -- sits on the board of a corporation -- of a private corporation for which they are soliciting as a board member, gifts to the corporation for which they serve and for which they can earn a salary by virtue of this bill. So would it not be different than the situation as you described it? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

That may have to be worked out a little bit more, Mr. President. Through you, Mr. President. I see -- I see where the -- the good Senator is going with this and I think that the laws and the ethics

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may have to -- to take a point of view on that going forward.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

Mr. President, also with respect to that same vein, to the extent that the ex-officios are also elected officials who serve on this board and have an input and a say, by virtue of discussions, would there also be a violation for the ex-officios to sit on this board knowing that their decisions, whole and part or input, is taking into account gifts and contributions that the private corporation that, even though they're ex-officio, that they have an interest in is receiving those gifts and contributions. Would that also be an issue of concern with respect to our gift ban rules and other ethics as we have them? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

I don't see any conflict of interest there at

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all because again, the contribution would be towards
-- to the corporation not to the individuals who
serve as ex-officio members on the -- on the board.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

Moving to another topic -- with respect to the
corporation, I think Senator LeBeau has -- had
indicated that this corporation speaks for the State
of Connecticut, and I may be paraphrasing it, with
respect to the sports industry we have in
Connecticut. Would this corporation also therefore
have the ability to bind the State of Connecticut in
any contracts, in any agreements and if not, sort of
two part if I may, if not, what would be the
procedure for which they'd be able to bind the State
of Connecticut? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

They would not have the ability to bind the
State of Connecticut to any contracts and could you

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repeat the second part of the question, Senator Fasano? Through you, Mr. President

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

If not, what would be the procedure, if -- if you know and I'm not putting you on the spot, but what would be the procedure if they could not bind the State of Connecticut? How -- if the sports corporation were to try to work out a deal say for the rental of Rentschler Field, what would be the procedure that this corporation would have to go through to get a lease for Rentschler Field to bring in a football game, an exhibition football game? What would be that procedure if they could not bind it themselves? Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Thank you, Mr. President.

As you said, I -- I am not sure, Senator Fasano, of exactly the procedure, but I assume they would approach Rentschler Field, or they'd approach

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the venue that they were perhaps interested in trying to help create something or an event, I suspect that Rentschler Field would be part of this. I suspect, again, OPM controls Rentschler Field, I would suspect that there would be a discussion with OPM regarding that.

And again, they would speak for the State of Connecticut in a very general sense because they would represent the broad spectrum of athletic groups in the State. I think that -- and because we would -- if we pass this bill today and the House passes this bill also, they would have the imprimatur of the State of Connecticut that they'd be speaking with. But they would have no binding capacity to speak for the State of Connecticut, but -- but I think people outside the state would see it as this is the group that speaks for -- that speaks for athletics and sports in the State of Connecticut.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

And, I would like to thank Senator LeBeau for

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the answers to my questions and I'd also like to thank Senator LeBeau. I understand Senator Frantz and Senator LeBeau, coming out of Commerce, believe very strongly in this bill and I appreciate it.

Let me tell you my concerns. I don't think there's a bigger industry in our nation than the sports industry. There is nothing bigger. With the salaries the athletes get, on the professional and even semi pro level, with the advertisements that they get at all levels, this a huge industry.

There's a huge upside, there's tons, tons of money floating around. Tons. Tons of money.

And what we've done is we have put a provision in this bill that allows the corporation to accept, can acquire or receive property or money, or loans, or contributions, or gifts, or grants, or donations, or bequests, or devises -- I can -- we've allowed any money from any source whatever it derives from, from coming to this corporation which is made up of a variety of individuals including state employees, including ex-officios who are the commissioners and who are legislators. I think the last time I've seen language that broad for a private company has to be with the Olympics. Right? Take the committee

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out to dinner, bring them to a ball game, buy 'em -- let 'em see what real soccer is like in Europe -- let's bring 'em to all these different events and all these different stadiums -- let's really show 'em what sports are like all over the place and then let's ask 'em if they would sponsor an activity at Rentschler Field or some other location.

This is ripe with problems. This corporation will explode beyond imagination. The State of Connecticut would hope to have a budget that they're going to end up having at the end of the day. The income that would come in from sports is a bet, if you would, I don't mean legally bet as a wager, but is a bet that that venue is going to pull an X number of dollars and we're going to fight hard for negotiating terms to ensure we have a profit and how we're going to fight hard is the very source of income that this corporation depends on, depends on how they are nice to other people who are going to contribute money to this.

The same money that's going to pay the board of directors; the same money that's going to pay for the expenses; the same money that legislators in an ex-officio capacity are going to say, okay or no to,

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and the same budget that the Commerce Committee made up of legislators are either going to say, we don't like you and we're going to pull the plug. Is that really -- we know how this building works. We see it today, we'll see it all through session, we see it in Committees -- Commerce Committee, they don't like a bill; Planning and Development they don't a bill. What do you do? You sit down and you negotiate, you come to a compromise. Why? Because the legislator's hand can be mightier than the sword when it comes to giveth and taketh away.

So to suggest that somehow this a totally independent, private corporation is really not true in the life line, the juggler of this corporation is dependent on two very basic principles - income and legislators; income and legislators. And we see when you have that type of dynamic in this building, there's a fight for territory, whether it's a pilot program, school building -- it's doesn't matter. Bonding, we all fight to get our fair share for a district as we should. But now we got a private corporation out there who may decide I'm not going to have an event in New Haven; I'm going to have an event in Colchester.

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Well, Colchester may be happy, New Haven's not. So I'm not going to be so much in favor, not my district but Senator Looney is my neighbor, I may not be so happy. So I may say, I don't like that why'd you do Colchester? Why do -- you have too many of these in the north of the state, what about the south of the state? What about Branford, has the fine parks out there? You can't make them happy but you've got to come back in front of Commerce Committee or I get to talk as a legislator about how I think it's totally one-sided. And you've got all this money coming in with members going all over the place and they're competing for the same dollar.

In this bill, you've got competing interest within it. You have people representing amateur sports, boxing, golf, et cetera. Well those people better pony up to the bar or they may not get their project here. That's how it works. I'm not suggesting an elicited motive. What I'm suggesting it is ripe for that. Even corporations that are out there would say, hey, look, we want to hear what you have to say; we want to take you members out here; we want to bring your members down to this event to see how it is. The bottom line is, this is not a

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totally private corporation.

In fact, if this was a -- and this is -- I understand the purpose and I don't want to demean the purpose, I think we need something that -- that comes to this, I just don't know if we want to let the reins go. I don't know if we want to let those reins go. I understand the purpose and perhaps we need to talk about how we can get that purpose out there and I'm -- I'm with Senator Frantz and I'm with Senator LeBeau on that, but either let the private companies run it and we stay out of it's way and they'll reap a profit or not and they've got to make the same deals because if Rentschler Field -- if Rentschler Field is for rent and this corporation decides we're going to move an activity to Rentschler Field, they've still got to come talk to the state.

Well, I got an idea, let's cut out the middle man because as Senator McKinney says, and he's right, you add the middle man, there's got to be a little bit of money at that middle man level. You always cut out the middle man to get the two parties to talk. Otherwise you got to add in that administrative fee. And if you give a monopoly to

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one corporation, a monopoly to one corporation, that middle man goes no place.

Mr. President, we don't have -- we do not have the final four here not because we don't have an outreach program; not because the NCAA doesn't know anything about UConn women's basketball and the fans that would come in this state to fill that arena three times over; it's because we don't have enough hotels. We don't have enough accommodations as required by their rules to achieve their goal. There are many goals -- it isn't that simple as say in, we need one point person; it's a lot more than that. It's access, it's traffic -- I mean, you could go on and on and on and make a list of a multitude of issues that you need. It isn't just one. Mr. President, even beyond all that, even beyond all that, we have a very serious concern with transparency and state ethics.

I don't know how you balance that. You're saying you can't give gifts or donations on the outside; you can to universities as long as you don't have a particular interest. Well these people are drawing a salary, they have a right to a salary -- at the very least their expense is paid -- a

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right to a salary, so they have a vested interest in that income coming in by gifts, donation, contributions, whatever you want to call it. How is that not against our ethics policy? How does that not just fly in the face of what we we're trying to do here when we talked about all the gift bans and all the different bans that we have? And, the answer is, it does. The answer is it does.

The other question that comes to me is that the ex-officio -- sorry -- the board of directors, the four from the state educate -- higher education system, must be either of the following categories, I'm assuming, I mean with all due respect, you're not going to make the molecular biology chair on this committee, you're going to put somebody on that committee who knows a little bit about athletics, who knows a little bit about athletics. So it's either going to be the finance department or in the athletic department.

One can certainly make the cause of a relationship that the success of bringing the venues or getting exposure for our state college basketball teams around the state is certainly dependent upon the success of this corporation which is dependent

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upon the income, which is dependent upon the gifts, donations, et cetera. You can not get that ink out of that milk when it happens. So that's the problem. We've complicated a system that doesn't need to be complicated. We could do this with a lot less angst than what we have in this bill.

We can do this in terms of a straight-forward policy decision, beef up our tourisms, help them out, give them a mandate to go out and do these things, and they'd love to do it -- our tourism business is an entity that we cut from time to time because we have budget concerns. We can do something like that and we can achieve the goal for which this is trying to achieve. But to set a corporation out loose with money coming from every direction, from virtually every source, seems to me to fly in the face of fundamental fairness.

The bottom line is, this corporation has to reach out to DECD, the Governor's office or whoever, to make the final deal. They can negotiate until their blue in the face -- finally they got to come and someone still has to do an analysis at this level. By the way, the same analysis that would be done if they didn't go through the corporation and

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they didn't wine and dine the members and they didn't take them to all the different basketball, hockey, football games that there was, that they circumvented right to the State of Connecticut and say, hey, we want to bring in the playoffs.

Now, I'm a sports enthusiast beyond belief. I love sports. I mean when the Giants played at the Yale Bowl, was terrific. That was just a lot of fun. Going to the games at UConn and at Yale are a lot of fun. Going to the hockey team down in New Haven or -- that used to be there over the years or the baseball team -- are a lot of fun. It's a great kid's event, great family event. And I think we could do that. This is, with all due respect, not the vehicle to do it. So, with that, Mr. President, I urge this body to reject this bill. Thank you.

THE CHAIR:

Will you remark further on -- you know what? The Senate will stand in recess for a second - at ease, I'm sorry, at ease, at ease.

(Senate at ease)

THE CHAIR:

The Senate will come back to order.

Senator McKinney.

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SENATOR MCKINNEY:

Thank you, Mr. President.

Mr. President, I rise for purposes of an amendment.

THE CHAIR:

Please proceed, sir.

SENATOR MCKINNEY:

Thank you, Mr. President.

I believe the Clerk is in possession of LCO Number 5143. I ask that he call the amendment and I seek leave to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 5143, which will be designated Senate Amendment Schedule A as offered by Senator McKinney of the 28th district.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

Mr. President, I move adoption of the amendment.

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Motion on the floor for summarization and adoption. Without objection, please proceed, sir.

SENATOR MCKINNEY:

Thank you, Mr. President.

Here's what concerns us in part about the underlying bill and Senator LeBeau is right. We don't have money in our budget for marketing the State of Connecticut. So, therefore, we set up this corporation outside the State of Connecticut and this corporation will have money to market sporting events in the State of Connecticut. And, with all due respect to the people who will serve and be employees of the corporation, we should all be concerned that the bottom line here is money.

Of course, all of the groups Senator LeBeau listed want to support this legislation because they all want the money. They want money to market their venue; they want other people's money to market their business and their venue. And, in fact, they will get money for this. And as Senator Fasano correctly points out, if this corporation markets and sells an event to a state owned facility, they'll get money and we'll lose money. So, since money is involved, since there's talk about people

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traveling to trade shows around the country, we think -- and there's no oversight -- we think that perhaps we had a -- should have a check on those individuals. And, what this amendment simply says, Mr. President, is that the employees and board members of this corporation will be subject to the ethics laws of the State of Connecticut. The gift rules, the prohibitions on giving gifts, accepting gifts, all of our disclosure requirements, will be subject to the members of this board.

Now this amendment is not a bridge to other amendments, let me assure the majority of that; this is solely designed to say that if the individual members of this group are going to be taking lots of money, to market sporting events around the State of Connecticut, we want to make sure the bribery and corruption that occurred, for example, with the United States Olympic Corporation, won't happen with our Connecticut Sports Corporation. The wining and dining and visiting and travel, all for the purposes of enticing the people of the State of Connecticut to accept their event and which venue the event goes to -- it is all real, it's all happened around this country and around the world, Mr. President, and

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this amendment makes this bill a better bill. If we truly are about doing the good will of the people of the State of Connecticut, if this is a model corporation, intended only to market and help the people of the State of Connecticut, then the people who work for it, will gladly subject themselves to the openness, the transparency and the limits of our state ethics laws.

Now, Mr. President, in closing on this amendment, let me state that there is a fiscal note, there is a fiscal note done by the Office of Fiscal Analysis. I will expect a correction because they're fiscal analysis is wrong. We told the Office of Fiscal Analysis that these are not state employees, they are simply only state employees under our ethics code and therefore the ethics code and only the ethics code applies to them. We do not have that correction here, but I think given the last -- given the fact that this is in one of the last few days, given the fact that our Office of Fiscal Analysis is being bombarded by hundreds and hundreds of amendments and bills, such an oversight is nothing to be in any way critical of, but certainly is explained when one reads the bill.

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These people are subjected only to subsection m, Section 1-79 of our general statutes, that is our ethics code and with that, Mr. President, I ask members to support this amendment and ask that when the vote be taken, it be taken by roll call.

THE CHAIR:

A roll call vote, sir, will be ordered.

Will you remark further on Senate Amendment A?

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

Very briefly. I support this amendment. This is what I was trying to get to in my questioning that I think there is a train wreck of conflict here and I think this will at least will clear it up and give some, both transparency and protection, to what is a multi-billion dollar business. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate Amendment A?

Will you remark further on Senate Amendment A?

Senator LeBeau.

SENATOR LeBEAU:

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Through you, Mr. President.

I'd like to ask the proponent of the amendment exactly how this would work.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Oh, if the question is how will this work --?

THE CHAIR:

Oh, that was the question? Oh, okay, I'm sorry. I thought there was a comma instead of a period at the end of that, sir.

SENATOR LeBEAU:

There was a question mark, but it was a very muted question mark.

THE CHAIR:

A question mark -- a little hook there if it's on the fish story. Go ahead, Senator.

SENATOR MCKINNEY:

Thank you, Mr. President.

Well, Mr. President, under our state laws,

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section 50 -- subsection (m) of section 1-79 of our general statutes are our ethics code and our ethics laws. This includes within our ethics code and ethics laws, an employee of the Connecticut Sports Marketing Corporation, appointed pursuant to section 4 of this act. It includes these individuals as state employees, only for the purposes of 1-79 which is our ethics code.

Therefore, Mr. President, these individuals will have to comply with our ethics code just as Senator LeBeau and I do, just as members of the executive branch and state agencies do, just as anyone else who's subjected to our ethics laws would have to be, employees of quasi-public agencies, full or part time employees of the state, et cetera.

Thank you.

THE CHAIR:

Thank you, sir.

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

How would this, the question I have is, in section seven of the bill that we have in front of us, it says that -- that no trustee, director,

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partner, officer or individual as a member of the,
on lines for your identification, Senator McKinney,
lines 139 through 141, shall abstain from
deliberation, action or vote by the Connecticut
Sports and Marketing Corporation in specific respect
to such person, firm or corporation. So a lot of
the discussion that went on earlier, some -- some
degree is negated by that sentence, that they shall
not have a voice when it is directly
responds to or has -- or deals with the -- their --
their entity.

But whether it be the University of
Connecticut, Central, Mohegan Sun or any group that
is -- that is there. So my question is, how would
this relate to that section? Do you see it adding
to it? How would it work with that section since
they already can not make any direct -- take any
vote on those matters that come before them that
would -- that would deal with their entity that they
represent or that -- the reason that they're there?
Thank you, Mr. President.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

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Thank you, Mr. President.

It's an excellent question. If I may, ten seconds, there is a corrected fiscal note that does say no fiscal impact by the amendment, so I wanted to -- I made representation we would have one and I want to let the good Senator know that we did get it.

Senator, I -- I like section seven; I see this as adding significantly to section seven. While section seven clarifies what would not be a conflict of interest for purposes of these individuals, our ethics laws go well beyond what constitutes a conflict of interest. Our ethics laws deal with gifts, the acceptance of gifts and the giving of gifts.

And, that's really what's at the heart of this if -- if we look at it and obviously the Connecticut Sports Marketing Corporation will never be as big as the United States Olympic Committee, but on that United States Olympic Committee there was determined to be tremendous amounts of bribery and fraud and corruption trying to do what? Trying to attract sporting events to certain cities and countries around the world. Why? Because sports is money --

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economic development activity, the sale of tickets.

And -- and the understanding of this very bill is that since we don't have state marketing dollars, since we're not going to have a new line item for state marketing, these entities all want to spend money doing it. This corporation is going to involve a lot of money. And what we're saying is then, we want those individuals who work in this to be subjected to the same gift bans and restrictions on where they can get money and who they can get money from as state employees. That's a much bigger part than just conflict of interest. So I think this does not take away section seven; it works in compliment and adds to section seven. Thank you.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Through you, Mr. President.

So this applies only to the individuals that would be serving on this board because you're talking specifically about employees. Through you, Mr. President.

THE CHAIR:

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SENATOR MCKINNEY:

Through you, Mr. President.

The individuals serving on this board and any employees that this corporation may hire. Were they to hire an executive director, a president, a staff, those employees also would be subjected to the gift rules too. The last thing we would want is sporting events from around the country or venues within the state to be buying, you know, gifts and dinners and lunches and wining and dining employees so that employee might go into a meeting and say, you know, we should do this event at the XL Center and not, for example, at Harbor Yard. Through you, Mr. President.

THE CHAIR:

Senator LeBeau.

SENATOR LeBEAU:

Thank you, Mr. President.

What I really want to say is if -- if I consider this a friendly amendment, will you vote for it? I'm not going to go there. I do consider this a -- I do consider this a friendly amendment and I would -- and I would support the amendment.

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Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

I think that -- thank you, Mr. President.

THE CHAIR:

Thank you.

Will you remark further on Senate A?

Senator Boucher. Nope. No Senator Boucher.

Senator McKinney.

(INAUDIBLE)

SENATOR MCKINNEY:

Mr. President, I want to thank the good Senator for his considering this a friendly amendment. If that's the case, I would certainly say that we could do this amendment by a roll call -- by a voice vote.

THE CHAIR:

Okay. We'll withdraw the roll call.

Will you remark further on Senate Amendment A?

Will remark further on Senate Amendment A?

Senator Looney.

SENATOR LOONEY:

Mr. President, just would yield to Senator LeBeau once again and a response on the amendment?

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Senator LeBeau, do you accept the yield?

SENATOR LeBEAU:

Yes, I do.

THE CHAIR:

Please proceed, sir.

SENATOR LeBEAU:

I just wanted to repeat that I -- I find this a friendly amendment. I -- I think it strengthens the bill and it -- it gives us some protections that were not there before and I commend the minority leader for moving ahead with this. I think it doesn't impede the -- the actions of the board. It may -- but it -- but it gives some protections and protects against the kind of abuses that he cited by the United States Olympic Committee. Through you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate Amendment A?

Will you remark further on Senate Amendment A?

If not, I will try your minds.

All those in favor, please signify by saying

Aye.

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Aye.

THE CHAIR:

Opposed Nays? The Ayes have it.

The amendment is adopted.

Will you remark further on Senate Bill 455 as amended by Senate A? Will you remark further?

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

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:

Have all Senators voted? 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 455 as amended.

Total number Voting	33
Those voting Yea	26
Those voting Nay	7

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Those absent and not voting 3

THE CHAIR:

The bill as amended passes.

Mr. Clerk.

THE CLERK:

Calendar page 29, Calendar Number 164, matter

marked second order of the day, File Number 235,

Substitute for Senate Bill 427, AN ACT CONCERNING

THE USE OF HAND HELD MOBILE TELEPHONES AND MOBILE

ELECTRONIC DEVICES BY MOTOR VEHICLE OPERATORS,

favorable report by the Committees on

Transportation, Planning and Development, Judiciary at

and Public Safety.

THE CHAIR:

Senator Fasano.

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President.

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

THE CHAIR:

Approval and passage, sir, would you like to
remark further?

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SENATOR DeFRONZO:

Thank you, Mr. President.

Mr. President, the Clerk is in possession of an Amendment LCO 4381. I would ask the Clerk to call the amendment and that I be given permission to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 4381, which will be designated Senate Amendment Schedule A, is offered by Senator DeFronzo with the 6th district.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President.

Mr. President I move adoption of the amendment.

THE CHAIR:

Acting on approval and adoption, sir, would you like to remark further?

SENATOR DeFRONZO:

Thank you, Mr. President.

Mr. President, this amendment deletes sections j and k of the underlying bill and substitutes a

provision provided to the committee by the Fiscal Administration Unit of the judicial branch, which clarifies how the fines will be collected and disbursed through the municipalities as specified in the bill. And, on that basis, Mr. President, I would ask that the members of the Senate approve the amendment.

THE CHAIR:

Thank you, sir.

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

If not, let me try your minds.

All those in favor please signify by saying Aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, Nays? The Ayes have it.

The amendment is adopted.

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President.

Mr. President, five years ago the legislature passed the cell phone bill. Over that time the

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public has, I think, become more familiar with the bill, but I think it's fair to say that many of us in government and many in the public have been disappointed with the level of compliance with the law. This bill is intended to strengthen compliance by eliminating the first offense free pass which is in the current legislation, imposing a \$100 fine for the first offense; third -- second and third offenses will be a bit higher.

Mr. President, the bill also clearly bans texting while driving and establishes a procedure for municipalities to share in the fines that are administered or that are enforced through local police departments. And, Mr. President, this bill has been the work of the Transportation Committee, but I would note that Governor Rell submitted virtually the exact bill early in the session. Representative Scribner, Senator Boucher, others in the Transportation Committee have worked hard on this bill. It's been supported by the Chief State's Attorney, the Connecticut Police Chief's Association, the Department of Public Safety and the Alliance of Automobile Manufacturers.

As I said, Mr. President, this is the first

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major change to the cell phone bill since we passed it and hopefully the changes embodied in this bill will make it a better and stronger and more effective piece of legislation. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark?

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

Mr. President I rise to support our chairman of our Transportation Committee who worked very hard to make sure that this bill became a reality this session. There's no question that I think the public fully recognizes and is supportive of further restrictions on the various technologies that we're now using as we're driving to and from work or to school and other places as well and even up here to Hartford.

There's no question that there has been a rise in accidents associated with distracted driving, but principally as these hand held devices have grown in use and widespread so and particularly in texting

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which can be very dangerous and I think this bill goes a long way in helping to improve the safety of our riding public and as I said, our chairmen of our committee should be commended for their hard work on this as well as the Governor's office.

Thank you, Mr. President.

THE CHAIR:

Thank you, ma'am.

Will you remark?

Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President.

It's a -- it's a terrific bill and I'll tell you why. I think you know a little something about this because you and I come from the same geographical area of the state. We have a fairly long drive to get up here and we see the entire spectrum of not only driving skill, we see the entire spectrum of people willing to use electronic devices, in particular Blackberry's and cell phones and other PDA type devices like that, and it can be downright scary sometimes when you see what people are doing.

I will never forget one night going home at

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about three o'clock in the morning and seeing someone driving with their knee on the wheel, underneath the wheel, with two PDA's going at the same time; looking at this one, looking at this one, and as I honked the horn to try to get their attention to say in effect, what are you doing, you're very dangerous if you're using two let -- if you're using one let alone two, could you please slow down. People do not pay attention unless there is a serious consequence. It goes back to our days when we were growing up as children. If there's no consequence for your actions that is strict enough or scary enough for you, you're not going to pay any attention to the rule and in this case, the rule of the law.

In foreign countries it works very effectively when they take fines and they bump them up to unpalatable levels, like when they start relating it to your income or some other source like that, it stops that behavior dead in its tracks. If this weren't such an egregious kind of behavior that puts so many people and children in -- in jeopardy as far as their safety is concerned, I don't think we should be considering it. But, it does; it does

exactly that. I've seen people run off the road. I saw one this morning that probably was text related; they hadn't done the investigation, the car spun out, hit a tree and it was very slippery if you remember your drive up earlier today.

So, it's a great bill. I hope everybody supports this. Again, it's going to not only be a great -- greater deterrent out there in the State of Connecticut, it's also going to attract a great deal of attention and the press will do a lot of marketing for us in trying to get this message across. We are just not going to tolerate texting and the misuse of cell phones on the highways. Thank you, Mr. President and thank you Senator DeFronzo for your hard work on this bill.

THE CHAIR:

Thank you, sir.

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

I rise in support of the bill and want to thank Senator DeFronzo, Senator Boucher and other who have worked on it. But also, Mr. President, I just wanted to get something off of my chest because I --

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I voted for the bill, the initial bill, and as soon as I voted for the bill I went out and bought a blue tooth which I have used pretty consistently since the original bill was passed. But nothing breeds contempt -- and I know there is an exception in the law for police officers responding to an emergency, but in my experience, Mr. President, my observation, police officers sometimes, even when their not responding to emergencies, I see some police officers driving around town, chatting on their cell phones -- their lights aren't on, their sirens aren't on -- nothing -- nothing breeds contempt for the law more than when the people who are charged with enforcing the law, appear to flaunt the law.

So I just wanted to say that, Mr. President. I hope if -- if anyone is watching, any police officer is watching, whether they're a state police officer or a municipal police officer, particularly when they're on duty in their cruisers, please don't drive around town chatting on your cell phone because it sends the wrong message to the public. It certainly doesn't put the fear of God in members of the public because if a -- it's going to be hard for a police officer talking on his cell phone to

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pull you over for talking on your cell phone and I just think we'd be a better society if the people that were in charge of enforcing the law, were the first to respect it.

Also, I guess, those of us who voted for the law, we ought to be first in line to respect the law, but those who enforce it, shouldn't be too far behind us. Thank you, Mr. President for listening and I urge support of the bill. Thank you.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President and good afternoon.

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

THE CHAIR:

Senator DeFronzo.

SENATOR KANE:

Senator DeFronzo, I was not here when the original cell phone bill passed. Was that in 2007, I believe? Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Mr. President, I believe it was in 2005.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

Senator Boucher in -- in her comments said there has been a rise in accidents because of the use of cell phones. Do we have data to back that up? Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President.

There is clear evidence that distracted driving is a major cause of serious accidents in Connecticut and throughout the nation. I do not have any trend analysis available with me today so I couldn't actually tell you whether that comment is specifically true, but clearly we know that 5,800 people died in the United States in 2008 and in the accidents where at least one person was a distracted driver; we know that in Connecticut there were over 41,000 violations issued for cell phone use alone and the numbers are quite staggering and the -- the

-- if we -- if the anecdotal information is true and that the enforcement has not been as aggressive as it should be, the problem is a lot, probably a lot larger than we -- we even expect it to be. Through you, Mr. President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

Through you, can you define distracted driving?

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Well, distracted -- it covers many, through you, Mr. President, distracted driving covers many specific instances. If you -- you look at a law, for example, many would argue that texting is already covered in our -- in our existing law, but it's not specifically mentioned. Things like applying makeup, reading the newspaper, scratching your scratch tickets when you're driving -- all of those are probably distracted driving. But the -- the law really vests in the local police officer or state trooper, the discretion to make that decision.

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Through you, Mr. President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you. I appreciate that answer because I -- I don't believe that we can pigeon-hole, if you will, use of cellular phones and mobile devices when you have parents who yell at their kids or turning around, you have people who are changing the radio station on the radio, as you said, women put on makeup, I've seen men shave, I've seen people look at the newspaper, I mean it's just incredible. So, having been in the cellular phone industry for many years, I just want to understand or want people to understand that it's not just use of cell phones.

I do agree with the underlying bill, having again been in the industry. I do believe that the industry is taking a positive or they're moving in the direction of being proactive. You'll see every device you purchase now has that label on it that says please do not text and drive and that kind of thing. So I just want to make sure that distracted driving encompasses all those things. I thought we had a, what we called a coffee cup law at some

point, maybe we don't, where you can't have anything in your hand while you're driving. Through you, Mr. President, is that true or -- or no?

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Through you, Mr. President.

I don't -- do not remember seeing that in the -- in the statute, but I do think that would fall into that discretionary area that -- that an officer might determine that somebody is trying to balance their coffee and drive at the same time, that might be considered distracted driving. Through you, Mr. President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

I have a question in regard -- in specific to section one, A-2, which talks about the proximity to one's ear. That would be talking on the phone. We all know that we don't text from our ear, we probably text from a much farther distance. So is that covered under the bill, although you've written in here texting? Through you.

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THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Through you, Mr. President.

Not quite clear on the question. The -- the --
you're looking for a --

THE CHAIR:

Senator Kane.

SENATOR KANE:

I'll -- I'll rephrase. In section one, under
section one it says A and then of course number two
says using or use means holding a hand held mobile
telephone to or in the immediate proximity of the
user's ear.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

And, Mr. President, what was the question, I'm
sorry?

THE CHAIR:

Senator Kane.

SENATOR KANE:

Well I guess the question would be in -- in the
language of the bill it says you can not use your

phone to one's ear. But we don't text that way. We certainly need to look down and read the keypad or keyboard from considerable distance from our ear. That -- that infers talking on the cellular phone, holding it to your ear. So I just want to make sure just because we write texting in the -- in the bill that we're -- we're, I think we're talking about two different things. Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

I think I got it, Mr. President. If you were to -- if you were to look on to section five in that same subsection, we talk about hands-free mobile telephones and actually even -- even a more inclusive definition is under number eight at line 32, where we talk about mobile electronic devices. It's a broader -- it's a broader definition which talks about paging devices, personal digital assistance, laptop computers, things that would not necessarily be in close proximity to the ear but would cover the -- cover the technology that would be involved in texting. Through you, Mr. President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

I appreciate that. I just wanted a little clarification on that. And, then lastly, if I could ask you one more question. Can you speak into relation of the fines again and -- and how they've been increased through this bill? Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Through you, Mr. President.

The -- the current legislation does not impose any fine for the first offense; it's a warning and essentially a free pass. So, the first offense will now be a fine of \$100; the second fine will be \$150 and third and subsequent fines will be \$200.

Through you, Mr. President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Okay. Thank you, Mr. President. I -- I appreciate that answer. And was there a portion of

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those fines, I think you said, that would be distributed to the local community that used -- that put forth the infraction? Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President.

Mr. President, through the -- for any -- for any cell phone violation that is assessed by a local municipal police officer, 25 percent of that fine will be directed through the court system back to that municipality. Through you, Mr. President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

So -- so then that leads me to believe that the Transportation Committee and I guess the legislature is okay with police departments putting forth infractions and then being able to collect from those infractions as a policy. Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

I think, Mr. President, I believe that's correct.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you. Thank you, Mr. President.

The reason I ask is, you know, in discussing other bills, other legislation, it -- it's been said to me that we don't want police departments being the driving force for our communities to earn dollars. So I just wanted to clarify that as well.

Thank you, Mr. President, I appreciate Senator DeFronzo for his answers and I will be voting in favor of the bill. Thank you.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate Bill 427?

Senator Kissel.

SENATOR KISSEL:

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

THE CHAIR:

Good to see you, too, sir.

SENATOR KISSEL:

Just a couple of questions to the proponent of the bill and as a follow up to what Senator Kane had touched upon. Are there other areas in our motor vehicle laws where we allow municipalities to get a portion of the fees associated with issuing tickets? Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Through you, Mr. President.

I believe there are. I can't -- I can't actually identify one at the moment, but I believe there are several where either the fine in it's entirety goes to the municipality or -- I think that's actually the division now, there may be some -- some cases where the entire fine goes to the municipality and in other cases the entire fine goes to the State Transportation fund. Through you, Mr. President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

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Thank you very much. And I know that when police issue tickets and you have an ability to -- to write on that ticket, you challenge it, you want your day in court and quite often if you do go to the court and you have any kind of reasonable defense, quite often the state's attorney will just throw out the tickets and I'm just wondering, how will a municipality sort of compare the amount of tickets that are actually given out and then at the end of the day if some of those tickets have been thrown out or set aside by the state's attorney, how would a municipality be able to monitor whether it's getting an appropriate percentage back on the actual fees paid? Through you, Mr. President.

THE CHAIR:

Senator Kissel -- Senator DeFronzo.

(INAUDIBLE) both you guys (INAUDIBLE)

SENATOR DeFRONZO:

Thank you, Mr. President.

Well, the -- the mechanism that's set up in the bill is that the -- the fines will be paid to the court administration; the court administration will then distribute the -- the proceeds to the municipalities on the basis of the tickets enforced

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and paid. And, so, we really are relying now on the court administrator, financial division of the court system to -- to handle that part of the equation, Mr. President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

And, do the does the court administrators do this already? Or will they have to get geared up to make this work? Through you, Mr. President.

THE CHAIR:

Senator DeFranzo:

SENATOR DeFRONZO:

Through you, Mr. President. The language that was given to us from corporation here appears to be standard language which was used in other -- in other parts of the statute for -- for the collection and distribution of revenue as it comes into the court system. Through you, Mr. President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you, very much. And I know that my

boards of finance, first selectmen, mayors, will be very excited to get any additional revenue from the State of Connecticut and I'm just wondering how it would be paid out to the municipalities? Would it be quarterly or once annually? How is that anticipated?

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Through you, Mr. President.

The -- the bill calls for quarterly payments to be issued to each municipality. Through you, Mr. President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. I appreciate those answers.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate Bill 427 as amended by Senate A?

Senator Witkos.

SENATOR WITKOS:

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

THE CHAIR:

Thank you.

SENATOR WITKOS:

I just wanted to speak to an earlier comment regarding the use of a hand held mobile device by police officers. There is -- the way the law states it's that as long as the police officer does so in the performance of their duties, so they are -- there is an exemption that was passed in 2005 when the good Senator said the bill became law, that allows the police officers to utilize a hand held telephone as long as they're in the performance of the duties. It doesn't specifically speak to an emergency type situation.

So I just wanted to stop the phone calls into the PD from people complaining if they -- they -- they're watching CTN to report that they see a police officer driving down the road talking on a telephone. Mr. President, I'm going to be opposing the legislation. And the reason why I do so is because I don't think it teaches our constituents to abide by the law by heavy fisting a fine. Can you

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imagine if you were talking on your cell phone and -
- or playing with a -- a device, looking at a text
message or you pick up your pager and you look to
see who called you and you plan on stopping and you
accidentally bumped into a car that's in front of
you?

A very, very minor, you foot slipped off the
brake. That's a \$500 fine and then we're talking
about \$100 for the cell phone and then we're talking
about following too close another \$100. We're
already up to \$750 in fines. That's more than some
people make in a week for one simple incident.

Many years ago when -- when we started the
click it or ticket it campaign, we had noncompliant
rates in the 80 percentile. And today when we do
this, we do the pre-survey, we see compliance over
92 percent. The fines didn't increase, they didn't
-- the fines didn't cause people to buckle up, it's
public advocacy, it's outreach, it's education.

We're teaching our youngsters now for those of
us that were driving before we had the seatbelt
laws, you can't get into a car without your child
saying remember to buckle up, it's the law and our
children are telling us that we have to if we didn't

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before. That's the way we should go about advocating for people to be in compliance with the law. I voted against this legislation in 2005 because there was nothing that proved that cell phone use was the cause of accidents. I asked that we include a little piece on our accident reports that the police officers had to fill out to prove if it was a cause or determining factor in accidents.

And to this date, the good Senator, the chair of the Transportation Committee, could not answer that question because we don't collect that data. So now, once again, because we're driving around and we see people talking on their cell phones, we believe that we need to increase the fines because the fine alone will cause them to deter that. I beg to differ. I think we ought to learn the lesson that has worked. Something similar to the click it or ticket it campaign and I will tell you if you did a search, you would find, other than a speeding charge, the most often cited violation in our motor vehicle statutes are seatbelts. Why? Because it's cheap. It used to be \$37. Police officers are people too. They know how hard people work for their money and nobody wants to go and hand people

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infractions that are upwards, two, three, four
hundred dollars.

Not in this economy. People can't afford it.
This is the wrong time to move this legislation
forward. Thank you, Mr. President.

THE CHAIR:

Senator Roraback for the second time.

SENATOR RORABACK:

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

Just briefly to respond to Senator Witkos.

Shame on us as a legislature for not being more
careful in the language that we drafted in -- in
giving an exemption to police officers. I thought
that the exemption was for police officers
responding to an emergency where I can -- would
think it would be appropriate that they might have
to use the hand held cell phone.

Mr. President, last time I checked, most police
of -- most police cars were equipped with radios and
people were in touch with the station by radios and,
you know, to say that police officers can use their
cell phones "in the performance of their duties", I
can't tell when a police officer is driving down
Main Street without his lights on, whether he's on

the cell phone with his girlfriend or his -- his or her boyfriend, so I - I still would say, while technically they may -- we'll never know whether it's in the performance of their duties, I think they'd send a good message to all of us in Connecticut if they could refrain from using hand held cell phones when they're on duty unless it's an emergency. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate Bill 427 as amended by Senate A?

Senator Kissel for the second time.

SENATOR KISSEL:

Thank you very much, Mr. President.

Just a follow up question has come to my attention and this is in order to create legislative history, and a question through you, Mr. President, to the proponent of the bill.

THE CHAIR:

Senator DeFronzo.

SENATOR KISSEL:

Is it true, Senator, that nothing in this bill shall prohibit the use of a hands-free or

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manufacture vehicle integrated device? Through you,
Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President.

Senator Kissel, I appreciate you asking the
question and that is correct.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. I think it's important to
note that hands-free devices are still completely
legal here in the State of Connecticut as well as
manufacture vehicle integrated devices, they are
completely legal and drivers should have no
hesitation in utilizing those forms. Thank you, Mr.
President.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate Bill 427 as
amended by Senate A?

Senator DeFronzo.

SENATOR DeFRONZO:

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Mr. President, just -- just briefly, I wanted to mention one or two points in -- in response to Senator Witkos' comments. First, there have been 41,000 cell phone violations in -- in Connecticut and that was in 2008. We're running about the same level in 2009. But the -- almost every national safety organization rates cell phone use among the -- among the highest causal factors in distracted driving. So I understand there may be a difference of opinion, but certainly there's an awful lot of empirical information supporting that notion.

And secondly and importantly, the -- the initial bill did carry with it a \$500 fine but the amendment that we approved just -- just earlier and members may not have had a chance to -- to see that very carefully, but we did take that \$500 fine out of the bill specifically on the basis of the arguments that Senator Witkos makes. It would be a bit -- a bit heavy handed to assess that fine and it would put an awful lot of additional discretion in the hands of local police officers.

So, Mr. President, with that, if there -- if there are no additional comments, I would ask that this bill be placed on the Consent Calendar. I'm

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sorry, Mr. President, Senator Witkos indicated his opposition, I'm sorry.

THE CHAIR:

It's quite all right.

Will you remark further on Senate Bill 427 as amended by Senate A?

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

THE CLERK:

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

THE CHAIR:

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

THE CLERK:

The motion is on passage of Senate Bill 427 as amended by Senate Amendment Schedule A.

Total number Voting	33
Those voting Yea	32
Those voting Nay	1

Those absent and not voting 3

THE CHAIR:

The bill as amended passes.

Mr. Clerk.

THE CLERK:

Calendar page 30, Calendar Number 195, matter marked third order of the day, Calendar Number 265, Substitute of for Senate Bill 414, AN ACT MAKING REVISIONS TO STATUTES CONCERNING THE DEPARTMENT OF MOTOR VEHICLES, favorable report by Committees on Transportation, Finance Revenue and Bonding, Judiciary and Appropriations.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President.

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

THE CHAIR:

Acting on acceptance and approval, sir, would you like to remark further?

SENATOR DeFRONZO:

Thank you, Mr. President.

Mr. President, the Clerk is in possession of an Amendment LCO 5010. I ask that that amendment be called and I be permitted to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 5010, which will be designated Senate Amendment, Schedule A, is offered by Senator DeFronzo of the 6th district.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President.

Mr. President I move adoption of the amendment.

THE CHAIR:

Motion on the floor for summarization and adoption. Seeing no objection, please proceed, sir.

SENATOR DeFRONZO:

Thank you, Mr. President.

Mr. President, this is a strike all amendment and the amendment becomes the bill. This amendment includes a number of administrative and technical changes to DMV statues and also several substantive changes which I'll try to enumerate for the -- for

the body.

First, there are a number of administrative efficiencies, including greater reliance on electronic technology which should result in less paperwork for the department and for its customers. There's an elimination of restrictions on driver retraining programs so that more small driving schools could participate in that program. There's an elimination of the requirement for a registration sticker which will result in approximately \$800,000 savings to the taxpayers of the State of Connecticut. There are new penalties for medical personnel who provide false information on certification forms for drivers with disabilities. There are more stringent background checks --

THE CHAIR:

Senator DeFronzo, one second. Can you please keep the tone, volume down? I'm trying to hear Senator DeFronzo. If you have to speak, please take it outside. Thank you.

SENATOR DeFRONZO:

Thank you, Mr. President.

There are more stringent background checks for owners and operators of driving schools. There's a

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grant of increased authority to the Commissioner of Motor Vehicles to sanction company officials found in violation of certain laws in other states.

The -- the bill gives the commissioner the authority to contract with automobile clubs to issue identity cards and certain registration materials. The bill corrects a problem expressed by a number of municipalities involving accessed information on the part of their assessors and tax collectors.

And if I can flip the page here I can get you a couple more -- the -- the bill establishes an ignition interlock device fee and fund and this is hopefully to lay the foundation for an expanded ignition interlock device program in the future.

The bill increases the photo ID requirement for license renewal now from six to 12 years. It establishes a streamline method for the processing and reviewing of fingerprints required by prospective bus drivers. And, finally, Mr. President, this bill establishes stronger and more rigid fines for school bus companies that fail to comply with agency inspection standards or orders. That's the amendment, Mr. President, and I would ask the body to approve it.

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THE CHAIR:

Thank you, sir.

Senator Boucher.

SENATOR BOUCHER:

Good afternoon, Mr. President.

THE CHAIR:

Good afternoon, ma'am.

SENATOR BOUCHER:

Mr. President, I rise to support, of course, the DMV bill that has many, many sections in it that comprise a lot of the issues that, not only the department brought before us, but also many other bills that were brought -- brought before us as well. However, although we have gone through an extensive number of sections, there is one section of note that talks about implementing statutory language to the real ID requirements into statute that will not result in a fiscal impact to DMV.

More clearly stated a federal grant to assist states to comply with real ID requirements will fund the background checks for about 250 DMV employees. The current law requires that DMV subject new employees to state and national criminal history record checks and this bill requires DMV to run

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formal background checks on all employees who will make or produce drivers license or identity cards or who will have the ability to affect the identity information that appears on them.

Although that is important language to include and was requested, however, it does appear that one area has been eliminated from this bill that was being requested of all the states to include and that section would have conformed statutory language to the real ID requirements into statutes that would have, in fact, required the DMV Commissioner, before issuing a drivers license or identity card to anyone who is not a US Citizen or national, to verify the individual has been lawfully admitted for permanent or temporary US residency. As such, an applicant for a license or identity card would have to submit valid documentary evidence that he or she is an alien lawfully admitted for permanent or temporary residency in the United States.

Another requirement that was being asked of the State of Connecticut from the federal government was too that this -- had -- individual also has conditional permanent resident status or has an approved application for asylum in the US or has

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entered the US in refugee status. Additionally, has a valid, unexpired, non-immigrant visa or non-immigrant visa status for entry into the United States or has a pending application for asylum in the US or has a pending or approved application for temporary protective status in the US or has approved deferral status or has pending application for adjustment of status to that of an alien lawfully admitted for a permanent residence in the US or conditional permanent resident status in the US.

Part of this requirement was for the purpose that the commissioner would have to issue a limited term license or identity card if an applicant provided evidence of his or her status in any of the categories that we just mentioned previously, four through eight, or otherwise indicates that his or her presence in the US is limited by federal law or too that the commissioner determines that the applicant has met all other statutory requirements.

This license or card would be valid only during the applicant's authorized stay in the US or for one year if there was no definite end to the authorized period of stay. The reasons for that -- for this

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requirement and why the federal government was asking states to make sure that they complied with this of course, has to do with certainly safety and other precautions. Much of this type of legislation was introduced after September 11th and a lot of concerns about terrorist activities.

We only have to look just to this recent weekend when some serious actions were taken and were yet to be determined whether the individuals involved in this were or were not American citizens, whether they did or did not have valid status and -- and licenses. My question would be, to our good chairman, why was this language deleted from our current DMV bill, when in fact the language was passed unanimously out of Transportation and Judiciary and only recently did we see that we do not have this language in here to verify the process or provide transparency in the process.

Could I please ask through you, Mr. President, to our good chairman, why the change of heart at this stage of the legislative process? Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

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SENATOR DeFRONZO:

Thank you, Mr. President. Through you to Senator Boucher.

Clearly this is -- has been and continues to be one of the more contentious issues in compliance with real ID. If this bill passes today, we will be fully compliant in 17 out of the 18 criteria that are -- that are required. You mentioned the background checks being the most recent item of compliance. The -- the item of the limited -- limited licenses is one that continues to be problematic for -- not only for Connecticut, but for a number of states.

And, you are correct, we had this in the original bill; we -- we put it out for public hearing to see what we'd get on it; we, in truth, did not get much comment on it; moved through the committee process, did not get much feedback on it, but in the last week or two we've begun to get quite a bit of negative reaction to inclusion in the bill and the -- the truth of the matter is that we have until May of next year, May 11th of next year, to come into compliance with this -- 25 other states have either passed statutory bans on compliance with

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real ID or have passed joint resolutions in opposition to compliance with real ID.

So, there is a very considerable argument, compelling argument I think, that can be made that this is likely to change. When you have 26 or 27 states out there statutorily opposing implementation, you have congress still debating the pass ID which is the Obama administration's response to real ID, and a lot of things happening around the country recently which is triggering I think, a broader debate on -- on immigration. So, in our -- in our judgment, and I'll say my judgment as chair of the committee and Representative Guerrero, we decided it would be wiser to wait on this -- on this issue until next spring; we'll have a better sense of what the congress is doing; we'll have a better feel for what the other states are doing in terms of whether they're going to take legal action to block this implementation or whether implementation will be resolved.

I would -- as you know, we had a conversation on this, through you, Mr. President, I would much prefer to have this all resolved today, but I think these issues are still not resolved on a national

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level and I think to commit Connecticut at this point would be a little bit premature. Through you, Mr. President. ...

THE CHAIR:

Senator Boucher:

SENATOR BOUCHER:

Thank you, Mr. President.

I thank the good chairman for his answers --

THE CHAIR:

I want to remind everybody about use of cell phones in the chambers.

Thank you. Sorry Senator Boucher. Please proceed.

SENATOR BOUCHER:

Thank you very much, Mr. President and I certainly thank the good Senator for his answers and explaining some of the reasons that -- that this was deleted from this general bill. I am concerned that given the public hearings that we had on this bill and multiple opportunities for the public to express their opposition or their favor of the bill, that we received substantially less comment than of any controversy than in previous years and this may have been a very good time to include this so that we

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could proceed and be in compliance.

Through you, Mr. President, I am going to take the good chairman at his word that in fact we do still have an opportunity for compliance that we would not be in jeopardy in losing any substantial funds if we wait until next May. Through you, Mr. President.

THE CHAIR:

Senator DeFRONZO.

SENATOR DeFRONZO:

Mr. President, if -- if in fact the deadline of May, I think its May 11, 2011, stands, we will have to be -- and these provisions are not changed, we will definitely have to be in compliance by then or fined or take legal action to maintain a position in opposition to compliance. But, if everything stays the same, the status quo were in place and the -- and the current extension was -- was required to be in place and be adhered to, we will -- I am not aware of losing any funding at this point.

If we go beyond that time, we may be in jeopardy in a number of ways. There are sanctions that the federal government may apply which I don't think any of us would like to experience. Through

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you, Mr. President.

THE CHAIR:

Senator Boucher:

SENATOR BOUCHER:

Yes, Mr. President, thank you. Certainly a question just was raised in that answer in that there was some reference to the fact that some states have engaged in legal action against the government. Would that be one of the options for Connecticut and in doing so, would there be a cost involved in -- in proceeding on that front? Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Through you, Mr. President.

If the legislature or the Governor decided to take legal action, I'm sure there would be some -- some costs. Through you, Mr. President.

THE CHAIR:

Senator Boucher:

SENATOR BOUCHER:

Yes, Mr. President, through you.

Do we have a sense of the amount of federal

funding that is at stake here or that's on the line should we fail to comply in a timely manner and the rules are -- of the game are not changed at the federal level? Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President.

Actually, that's one of the central issues in the opposition from a number of states is that there is no clear indication of how much federal funding we will be getting under this -- under this federal act. And so many states have -- have reacted as our municipalities react to unfunded mandates in that -- that many states are viewing this as an unfunded mandate. And if you were to look at the -- the testimony from -- from Commissioner Ward in our -- in our committee, well there's no fiscal note attached to this.

He could not be very precise on what it would cost to implement this in future years either. At one point he, I don't have the actual testimony in front of me today but I was looking at it the other day, he said that he would expect it would cost at

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least -- he would have to hire at least 20 additional staff people to comply with this provision going forward and -- and the provisions will come into affect shortly where new -- new applicants for licenses will have to -- have to produce their original birth certificate which are - - which is a, you know, a pretty significant change from where we are today.

So, there are federal funds that have been pledged for this. We don't know how much would be coming to Connecticut and in fact, to summarize again, one of the -- one of the very contentious issues between the states and the federal government is exactly that one -- will this be paid for in it's entirety by the federal government. Through you, Mr. President.

THE CHAIR:

Senator Boucher:

SENATOR BOUCHER:

Thank you, Mr. President.

I thank the chairman for his patience in this line of questions, but I think it would be very helpful to the public if maybe we could further explain so that they understand currently when

someone comes forward to get a drivers license, to what extent are they asked to prove residency or citizenship to date without this inclusion of this language? Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Through you, Mr. President.

There is a -- there is a legal term, I'm not familiar with it, I'm not a lawyer, but even -- even today an individual going for a license has to prove that they are here -- or may be asked to prove that they are here legitimately. And, if they are not, there -- the -- again, a license is not a right, it's a privilege and if that individual is not here or demonstrated to be here legally, I believe the commissioner does have now the authority to not issue a -- not issue a license. Obviously in those cases where somebody is here under a visa or temporary stay, they need to produce that -- that documentation -- they can be giving a license to the -- and those may vary from a short stay to a -- to a lengthy stay. Through you, Mr. President.

THE CHAIR:

Senator Boucher:

SENATOR BOUCHER:

Thank you very much, Mr. President.

I think one of the areas of discussion that we had extensively in our committee was the fact that currently we have a problem and a disconnect between the length of term of a -- of a valid drivers license and the actual legal period of time that a -- that a non-resident is allowed to stay in the country. Often times that license can extend way beyond the maybe two year application without this new language. Through you, Mr. President, how do we resolve this issue?

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Through you, Mr. President.

Without that language in the bill, there would be no change in the short run. Through you, Mr. President.

THE CHAIR:

Senator Boucher:

SENATOR BOUCHER:

Thank you very much, Mr. President.

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I certainly thank the chairman for his answers. I think we do have some areas of concern that really need to be fixed with or without complying with this language, certainly the last point being very important that, in fact, if someone is here on a two year visa and they have a valid drivers license that can extend four to six years, we do have an opportunity here for some problems to occur.

And, I think that given the state of affairs in this country right now with concerns about the fact that most people come here legally but there are occasions when that is not the case and other occasions when maybe some activities can be perpetrated that could be of danger and cause concern, that were -- were probably the rationale for -- for this requirement to begin with. So I would hope that we do not delay very long.

If in the future we do not fix this problem, it would have been a much better bill if that had been included and we could comply and not have to worry about any penalties going forward whether it's financial or legal into the next session. And, even if we were to convene in January, we would have to work quickly on this bill to comply before the end

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of that particular long session. But I again, thank the good chairman for his answers and I would be supporting the underlying bill. It is, however, not complete as far as I am concerned, this session. Thank you.

THE CHAIR:

Thank you, sir -- ma'am.

Senator Kissel on -- on the amendment, Senate Amendment A, which is the bill.

SENATOR KISSEL:

Thank you very much, Mr. President.

I followed what Senator DeFronzo had indicated and this amendment becomes the bill, but I sort of -- my notes go to the underlying bill was, so just to clarify what actually carried forward from the underlying bill into this new amendment. One of the things that was in the underlying bill was requiring the commissioner to conduct state and federal criminal history records checks of DMV employees who make or produce drivers licenses. And, my first question, through you, Mr. President, is does the amendment still have that as part of the bill?

THE CHAIR:

Senator DeFronzo.

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SENATOR DeFRONZO:

Through you, Mr. President.

It does.

THE CHAIR:

Senator Kissel:

SENATOR KISSEL:

Thank you very much. And my understanding is the underlying bill had required rather than allowed certain health professionals to report to DMV, health conditions that may impair an individual's ability to safely operate a motor vehicle and I'm just wondering if that's still part of this amendment.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Through you, Mr. President.

The -- the language there has been -- has reverted back to permissive language but what has been added is an -- an indemnification for those professionals so that they might be more secure in providing accurate and correct information on the health status of those individuals. Through you, Mr. President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. And does the amendment, which becomes the bill, still make it a crime for certain health professionals to falsely certify in writing that a driver requires a handicap placard? Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Through you, Mr. President.

Yes, it does.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. And though you, Mr. President, does the amendment, which becomes the bill, still prohibit municipal assessors from disclosing information they receive from the Department of Motor Vehicles that the Department is not required to disclose?

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Through you, Mr. President.

Now that's an interesting question. The -- the -- through you, Mr. President, that language is still there but it does correct the problem that the assessor's were having -- having -- getting access to that information so that the assessor's will in fact be able to get the date of birth information they were -- they were trying to get access to in order to resolve their -- their issues, although the language doesn't quite suggest that, but it's a -- it's a bit of a trick -- tricky wording issue.

Through you, Mr. President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. And, so, through you, Mr. President, the legislative intent is to allow these assessors throughout Connecticut to have access to this information? Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Through you, Mr. President.

The -- the legislative intent is to allow assessors and tax collectors to have -- to have access to that date of birth information. Through you, Mr. President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. And, through you, Mr. President, does the amendment, which becomes the law, still allow rather than require the commissioner to issue registration stickers?

Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Through you, Mr. President.

It does.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. It's -- I recall that one of the things that I believe was stated that rather than renewing one's license every six years that we're now going to allow renewals every 12 years.

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Did I hear that correctly? Through you, Mr.
President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Through you, Mr. President.

Let me -- let me explain. The -- the license
renewal is still every six years. The requirement
for a photo ID will be shifted to once every other
renewal so that you will still be required to come
in every six years for a renewal -- actually you'll
be able to do it by mail now, or hopefully in the --
not -- distance future, maybe by over the -- over
the web, but you'll only be required to come in for
a photo now every other registration -- or -- or
license renewal. So long as some provisions on that
that, that the department is compliance with -- so
long as there's a digital photo on record, we can
move to a 12 year -- 12 year cycle for photos.

Through you, Mr. President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. So a question, through

you, Mr. President. So recently in the fall I renewed my license and I did it at a AAA outlet in Enfield; they were wonderful, it was fast, courteous. Is it my understanding that when you have your photograph taken at one of those facilities that that photograph is retained such that in six years when I have to renew my license again, that that photograph should be available and I wouldn't have to have it taken again? Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Through you, Mr. President.

That's correct.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. And, through you, Mr. President, is there a cost savings associated with skipping every other license renewal period of time or why are we -- why are we doing that? Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Through you, Mr. President.

There is a minimal fiscal advantage to doing it this way. Obviously, if we can decrease traffic into our -- our offices and, you know, process people a little more quickly, that's a good thing and it probably will result in, not so much in a -- I would say the -- the notion here is you'll -- you'll achieve a greater level of efficiency, not so much cost savings. Through you, Mr. President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President. And, I'm sure that my friend and colleague from New Britain wasn't making a pun when he said he wanted to decrease traffic through the Department of Motor Vehicle offices. Those -- those answer all my questions, thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further?

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Mr. President.

I have a couple of questions, through you to the Chairman of the Transportation Committee.

THE CHAIR:

Senator DeFronzo.

Please proceed, sir.

SENATOR McLACHLAN:

Thank you, Mr. President.

Senator DeFronzo, I supported this bill as it passed through Transportation and Judiciary and my neighbor, Senator Boucher, expressed some concerns of changes to the bill in the strike all. I know that you've worked very hard on this to -- to bring legislation to us that will be productive and -- and sail through an approval, but there -- there is a section that I'm very concerned about that is now missing. And I wondered if I could get some clarification from you on your assessment of the controversy around non-resident aliens and their drivers' licenses. So my point would be the suggestion of the real ID act is to have a coterminous license as it relates to an individual's immigration status here in the United States and I'm

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-- I'm just trying to get a sense of what is the objection to what I think many people would think is fairly common sense that someone should not have a valid drivers license if they don't have valid immigration status. Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you, Mr. President.

And, Senator, I think you and I agree on that. I do think it's a common sense goal that we should be striving after. The opposition to it though comes from many quarters. It comes from progressive groups that -- that feel there is no -- not adequate due process in the system so that if someone shows up at a motor vehicle office and we're asking a clerk to essentially make a decision as to whether that individual is in good status or whether they have legal papers pending, people feel that that's not an adequate safe guard on that end.

On the other end we have considerable opposition voice from libertarian type folks who believe that the entire bill is too intrusive and -- and requires too much information, personal

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information, to be -- to be provided to government. So the opposition comes over quite an -- quite an array. And, you know, I had the opportunity when I -- when I was reviewing this the other day to look at some of the comments that have been made in debate in other states and the array of states, as I indicated earlier, 25 states have taken position in opposition to the implementation of real ID and they range from Alaska to Pennsylvania to Louisiana to Utah, all across the board, you know, all political spectrums and the -- and the comments that are made in the legislative debate range across that whole political spectrum, from libertarian concerns to due process concerns into more progressive concerns.

So it's -- I don't think it's any one issue. For me, I would -- I would say it's this. That I do think there are some -- some process issues that need to be addressed here in Connecticut. It has always concerned me a little bit that we'll be asking a busy DMV service representative to be making this kind of an initial decision. And then there -- we have not seen in any of the legislation, either in this amendment or in the prior legislation, a clear process by which disputes can

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be resolved. And I think that is something we need to -- need to have.

And, then thirdly, the -- the issue of the amount of federal funding to support this measure is still not at all clear. So, those are -- those are both a snapshot of what's happening -- happening nationally on this and what my personal concerns are here in Connecticut. Through you, Mr. President.

THE CHAIR:

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Mr. President.

And thank you, Senator, for your answer.

Actually you went far beyond what -- what my initial question was and I appreciate your -- your viewpoint on the real ID as a general topic. I think more specifically, though, we're probably in agreement on a number of the concerns on the broader topic of real ID, but more specifically, the topic of coterminous driver license. That topic, in and of itself, I'm not sure that there is -- is objection in the libertarian world.

Certainly the -- those who are concerned about state's rights I think are not in objection to that.

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My -- my concern frankly, is that this is the last step in the process for us to comply and there seems to be a large population of my constituents that express a concern, quite frankly, that an undocumented person is -- is legally driving a car in the State of Connecticut. It seems -- it just seems totally counterproductive and -- and not appropriate for state government to -- to allow that to occur.

And, so if all we need to do is take this last step of coterminous driver's licenses that seems to be the most appropriate step to take. I understand your concerns; I'm very disappointed that -- that this didn't make it to the final bill and I'm hopeful that we can continue to have this discussion as I think that this is important to the residents of Connecticut. Thank you, Mr. President.

SENATOR DeFRONZO:

Mr. President, may -- may I respond?

THE CHAIR:

Thank you, sir.

Senator DeFronzo.

SENATOR DeFRONZO:

Thank you. Senator, I -- I appreciate those

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comments. I -- I pledge to you and Senator Boucher right now that I'd be more than happy to convene a little working group over the next couple of months because I do think this is an issue that the legislature is going to have confront when we come back in January.

And I'd be more than happy to put a small working group together with the two of you, maybe some of our friends from the different political ends of the -- of the world and maybe we can sit down and hammer something out. My -- my particular concern is the -- is the due process procedure. That if somebody is arbitrarily denied an extension of a license there needs to be some process to resolve that and that's my basic concern and I'd be more than happy to work with both of you and others in trying to resolve that. And I appreciate your concern. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

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

If not, I will try your minds.

All those in favor, please signify by saying

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Aye.

SENATORS:

Aye.

THE CHAIR:

Opposed Nays? The Ayes have it.

Senate Amendment A is adopted.

Will you remark further on Senate Bill 414 as amended by Senate A?

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

Mr. President I rise to support this particular bill as it's drafted and also call attention to some of the very positive things that are in this bill that is good for the public to know, particularly when it comes to the safety of our students with regards to the licensing of driver's schools and driver instructions where we have required it in this bill, the DMV Commissioner to conduct state and national criminal background checks and check the state child abuse and negligent registry for applicants seeking or renewing a license to conduct a driving school.

I think that's a very important area in here

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that may not have been something that we had caught early on and also to apprise the public of the fact that we have a section in here on ignition interlocks that has the bill conform the law to current practice by requiring rather than allowing, installation of interlock device for such second offenses for offenders 21 and over and it poses a mandatory one year suspension installation of interlock for the two following years.

It also applies penalties to all drivers older than 21 convicted of a second DUI violation in ten years rather than only those convicted based solely on alcohol use. So, there are some provisions in here that are important for the public to know as well as some safeguards for those that are offenders of 21 or -- or under, it imposes a suspension of three years or until the offender is 21, whichever is longer and bars operation of a motor vehicle without an interlock device for the two years following the completion of the suspension.

So I do believe that there are a number of factors in here that address directly the safety of our public and particularly our young people. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Boucher.

Will you remark further? Will you remark further on Senate Bill 414?

Senator DeFronzo.

SENATOR DeFRONZO:

Mr. President, if there is no other comment, I would ask that this matter be placed on the Consent Calendar.

THE CHAIR:

Motion on the floor to place this item on Consent. Seeing no objection, so ordered.

Senator Looney.

SENATOR LOONEY:

Yes thank you, Mr. President.

Mr. President for several more items to -- to mark. The next ready go item is calendar page 33, Calendar 237, Senate Bill 300. And after that, Mr. President, we have calendar page 35, Calendar 316, Senate Bill 278.

THE CHAIR:

Thank you, sir.

Mr. Clerk.

THE CLERK: