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cd  
SENATE

288  
May 5, 2010

seen it before. I thank the good senator for her answers.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you.

I request a roll call vote.

THE CHAIR:

Thank you, Senator Harp.

A roll call vote will be ordered at the time we take the vote.

Senator Guglielmo.

SENATOR GUGLIELMO:

Thank you, Mr. President.

I -- I don't really have any questions. Just would like to express some concerns about the budget and the process. I've been up here 18 years. I don't think I've ever seen us in a type of situation we're in now and the type that we're headed for, both the State of Connecticut, probably 37 out of the 50 states, probably the federal government -- definitely the federal government as well. And it's a short and a long-term problem. Short-term picture just got a little brighter. We had the tax collections. They were up, I guess, about

400 million of over what was estimated. The really good news in that was the payroll taxes were up, which is really a good sign. The estimated, I guess, were a little down, but the payroll was up. Payroll taxes being paid. Being up means people are working. Means the economy is getting a little better and that's good -- that's the good news.

But what I think happens when you -- when -- when this occurs is that we take our eye off the ball. We still have the long-term problem, and we haven't addressed it. We don't have a sustainable situation in the State of Connecticut.

Our revenues do not meet our expenses. We have not done what I hoped we'd do, which is a line by line review of the budget the way most of the towns and cities have done it. And I sat in on quite a few panels in the early part of the session -- and, actually, before the session occurred with other representatives and senators, and Senator Williams was in attendance at one. And it was at the Northeast chamber. I think we had a crowd of a couple hundred people for the breakfast meeting. People are very concerned. You know, they know what the problem is. And they're -- they're a little confused, I think, by what we're doing up here.

And I know that Senator Williams said, and I agree that he hoped we would use this as an opportunity to some long-term planning, really get our house in order. Make some decisions, do some line-by-line reviews of our budget.

Actually, I don't know if he used these words, but I would use them, that we kind of regroup and redesign the way we think a government in the state of Connecticut. And that clearly hasn't happened.

What we've done here is we've kicked the can down the road for some future date. I think we've missed an opportunity to do what really needs to be done. And I think what's going to happen, lot of people are going to be fooled by this because they're going to think we've solved the problem because there are no new taxes. They didn't see any painful cuts. And I think -- but I think the illusion is going to go away pretty quick and then they're going to be really angry and disappointed in us because we haven't addressed the problem. You know, that's the current problem.

And then long term, the problem's even bigger. Most people don't even know about this. We have got, as everybody in the circle knows, we've got \$50 billion in

long-term, underfunded liabilities, \$50 billion. That's incredible.

You know, people talk about California being in trouble. I think we're, per capita -- I think we're in as much trouble as California. California gets the more attention. There a large state. The largest in the nation, 40 million people. We're 3 and a half million, so obviously, they're going to get more attention. But per capita, I think our situation is every bit as serious as theirs.

And you look at the long term, \$50 billion, we've underfunded the Teachers' Pension Plan. We've underfunded the State Employees' Pension Plan. We've underfunded the State Employee Health Insurance Plan. We've done a lot of borrowing. We don't use GAAP accounting that's generally accepted accounting principles that gives us a billion-dollar cushion which we don't really have.

So we got a short-term problem which is bad, long-term problem which is worse, and we're not doing anything about it. Thi -- this doesn't certainly doesn't do anything about it. So I think that people are going to be surprised probably in the beginning of next year, January, after the campaigns are done, and they shart --

cd  
SENATE

292  
May 5, 2010

start to see that the long-term budget for 2010 is 3 to \$5 billion in the hole. I hope that -- and I know that it won't happen. I would hope that we would really reject this budget and that we'd work together all 36 of us in this room, to look over the budget, see what works, see what doesn't work.

All these programs have a constituency. None of them are bad. That's the problem, but you have to have priorities. And we don't have any. We haven't had any for a very long time. It's going to catch up to us, and when it does, it's going to be very painful. It's going to be very ugly.

In fact, I'm kind of surprised so many people are running for governor because they all know or they should know. It's not a job that I would want. But we're going to be part of the solution, and it's -- I just was hoping that we would -- actually, I was hoping last year that we would get started to address some of these long- and short-term problems. I was sure we were going to do it this year, but, unfortunately, that hasn't happened. So I'm disappointed but not surprised. Thank you.

THE CHAIR:

Thank you, Senator Guglielmo.

The question before the chamber is adoption of Senate Amendment "A." Will you remark further? Will you remark further? Seeing none, Mr. Clerk, will you please announce the pendency of a roll call vote. The machine will be opened.

THE CLERK:

Immediate roll call has been ordered in the Senate.

Will all Senators please return to the chamber.

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

THE CHAIR:

The question before the chamber is adoption of Senate Amendment Schedule "A."

Have all the members voted? If all the members have voted, please check the board to make sure you cast your vote appropriately.

Mr. Clerk, will you please announce the tally.

THE CLERK:

Motion is on adoption Senate Amendment Schedule "A."

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

THE CHAIR:

Amendment is adopted.

Will you remark further on Emergency Certified Bill as amended.

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

I began reading the bill as soon as it was brought to my attention that it was on my desk a little over an hour and half ago now may be. I'm on page 135 out of 245, 100 pages to go, Mr. President.

This document that's before us runs state government, all aspects of state government, from our health care programs, to our colleges, to our prisons, to our transportation systems, departments of motor vehicle. You can go down through the list of alphabet soup, and they're mentioned or they're touched in this budget document. And once again, I'll complain as to how we, in the legislature, provide a document that just have numbers but it has no reference. Is it a 20-percent reduction? Is it a total wipeout, a sweeping of the fund? There's no way of knowing by looking at these documents because it's just a number attached to an agency. And I tell you next year I'm going to offer a bill that when we have something like this, you're going



cd  
SENATE

295  
May 5, 2010

to be required to tell the appropriated amount, the amount spent, the amount left, and what we're looking for in the budget because that's the only way you can make informed decisions as to whether this is something good or not. I don't know if our software has that ability, but I'm going to try to pass a law to make sure that it does. Because it's frustrating when you're looking at the beginning of the budget document and you see "stream gauging, \$202,355," line T-414. Well, is that the whole account? Is that a portion of it? How much is it? Is there anything left? I don't know. But I'm expected to vote yes or no on it.

Like I said, this touches every aspect of our lives, as residents in this state, from the roads that we drive on, to the offices that we visit, and the services that we depend on.

I have several questions as I began to go through the bill, and when I'm done with my questions, Mr. President, I'm going to sit back down and read the remaining 110 pages and stand back up again and ask questions on the remaining 110 pages if I have any. Because I -- I certainly want to understand what we're trying to accomplish here. I understand the underlying goal, but the devil's in the details, and we need to

delve into this document and realize the impact of what we're doing.

So, through you, Mr. President, to Senator Harp, on line 159 of the bill, it speaks of the Medical Assistance Program, and we added the word "pharmacy" before "provider." So when we're moving from just a general provider to a pharmacy provider that's very specific. And since we've done that, who have we excluded through this action? Line 159. Through you, Mr. President.

THE CHAIR:

Through the Chair, please.

Senator Harp.

SENATOR HARP:

Thank you.

Through you, Mr. President, in line 159, it says, "a pharmacy provider." Are you asking me what other types of providers we have in this state? Through you, Mr. President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Mr. President, yes.

Through you, if we didn't add the new language, it would have said "a provider enrolled in any Medical

cd  
SENATE

297  
May 5, 2010

Assistance Program administered by DSS." But now we're stating specifically "a pharmacy provider." So if there were other ones, we've excluded them. And I'm just curious, through you, Mr. President, who may be those entities that are being now excluded because of the changes to the proposed law?

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, other providers are providers that are recognized by Medicaid, but -- and they're expansive but, for example, federally qualified health care clinics are providers. Doctors are providers under Medicaid. Physician assistants, I believe, are providers. Advanced practiced nurses are providers. There's certain types of social workers are providers. There are certain types of facilities that are considered providers, like detox facilities. And each of them get a different rate and operate under different rules. So this would limit "provider" to just "pharmacy provider," someone who provides pharmaceuticals to Medicaid patients.

THE CHAIR:

Senator Witkos.

cd  
SENATE

298  
May 5, 2010

SENATOR WITKOS:

Thank you.

And, through you, Mr. President, if -- in the answer that you just gave there's doctors and other facilities that provide those assistance and it's based on different types of billing. Prior to adding the language that's being proposed here, I imagine they were all in the same group if they provided medical assistance. And it says that they had to do so at the lowest amount that was available. And since we're carving all of those other entities out, are they contained somewhere else in the bill so that we continue to make sure that the appropriate service is being delivered at the lowest appropriate level of dollars? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, I believe that that is embedded in the regulations, both the federal regulations as well as the state regulations for Medicaid. What this section is trying to get at is a concern that the Attorney General has that we have called "most favored nation." Basically what it is trying to get at are the

pharmaceutical cards that are offered by Walgreens, Walmart, Target, CVS. And some of those, the Attorney General believes that we, as a state, should be offered the same low price that is offered to a member of the public who joins those discount plans.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

Could you just explain in a little bit more detail how that works? So if somebody in the public has a prescription plan and they go to Walmart, and they're able to get their medication for say \$5 for -- as a cost, are you saying that the State of Connecticut should be able to get that same rate from whatever their provider is? Through you, Mr. President.

SENATOR HARP:

Thank you very much.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Walmart is a very good example, Mr. President, through you, because these are usually -- I think you've seen the signs where it says if you pay \$10 you can join

this club. And in Walmart's case, they provide pharmaceuticals, particularly generics, at about \$5 for some generics to each individual. And, then, when they provide that same drug to a Medicaid patient, they charge the State the same \$5 that they would charge the person who belongs to this club or this plan that they have. Walmart does that. But if you look at other pharmaceutical providers who have similar-type offerings, they do not. They charge us a higher price. And so what this is basically saying is that our expectation is that those savings -- that we would get the same price as the State. That if you can afford to offer it to the public as a whole, you should be able to offer it to us as well. And this is different than if you are in a pharmaceutical plan through your insurance company. These are things that they offer to the public as a whole. So you couldn't take your -- say you have another plan other than the State's plan and expect that because that's a different type of contract.

This is if you have those -- those pharmaceutical offerings that you offer to the general public. Our expectation is and we believe, at least the Attorney General believes, that it's Medi -- Medicaid regulation,

that we should be offered the best price, the same price that you would offer others, the lowest.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you.

Through you, Mr. President, do we expect that same benefit without joining the club? Are we -- would we expect the same return or charge to us for the medication as long we're a member of the club. Because it seems to me that the benefit of joining the club is to get the medication for \$5, and why -- and just because if you're a Medicaid patient and you want to go to Walmart, and they say, well, your -- your charge is \$10, the State shouldn't say, well, no, you've only billed the club members \$5 so you should only pay us \$5. And if it's the benefit of joining the club, then once, I believe, the individual joins the club, and state pays, then they should pay the \$5. Through this, you're not trying to exempt them from any of the club or shut down any of the clubs that are currently available to the general public, are you? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President. It is from my understanding the expectation based upon federal law and state law and regulation that we should be given the best price, whether or not our patients join the club, simply because of the volume that we provide. If they can do it for those who join a club, the volume that we provide certainly outstrips and outweighs that. Through you, Mr. President.

THE CHAIR:

Senator Witkos, you have the floor, sir.

SENATOR WITKOS:

Thank you, Mr. President.

I consider that a bully move from the State of Connecticut, bully move. If here's a club that offers you to join -- I don't even know what the price is to join the club, maybe \$20 -- if you join our club and pay \$20, every time you come to get medication, it's going to cost you \$5. But, yet if the State of Connecticut's going to pay, we're telling you, we're not going to pay your membership fee and you're still going to give us the cheaper discount. It's not right. I could see if you join the club, then you should get the -- the State.



cd  
SENATE

303  
May 5, 2010

should be only charged the same amount. But what --  
what's the -- why have the club?

Moving on to line 327, we start talking about the HUSKY Plan Part B. And currently, the language says that the commissioner shall require each managed care plan to monitor co-payments and premiums. And we've taken out the language in the draft bill before us that requires the managed care plan to do it. It's going to now require the commissioner to do it.

And, through you, Mr. President, to Senator Harp, is there anything in the bill that would offset the additional work that must be required to monitor this? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

Through you, Mr. President, the act that requires the commissioner to monitor the co-payment -- co-payments and premiums and changes it from a managed care plan is that we're moving away from a capitated risk involved managed care program for our HUSKY. We're moving to an ASO. And the commissioner would be responsible for the operation of the overall ASO so that there would no

longer be a requirement of each managed care plan because whatever construct exists from the managed care organizations, they would no longer be a plan but be an administrative or -- organization -- administrative services organization that would be responsible to the commissioner of the Department of Social Services. And so this language, basically, give the commissioner of Department of Social Services the responsibility to monitor coma -- co-payments and premiums. And he may elect to utilize a managed care organization to do it. But it -- it clarifies that it is the responsibility of the commissioner to do that.

THE CHAIR:

Thank you, Senator Harp.

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

So, as we're phasing out from what I understand the managed care plans and moving to the administrative service organization plans, the duty shall shift. And is there anything that -- that may monitor during the interim, since right now, the managed care plans monitor that, and we're phasing it out. But who would monitor unless it's going to be ending by the time this section

cd  
SENATE

305  
May 5, 2010

becomes law, July 1, 2010. Is that the cutoff date when we moved over to the ASO plan? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you.

Through you, Mr. President, our expectation is that we'll move to the ASO plan on July 1, 2010, should this bill be passed. And -- but, typically, in all honesty, it takes a little bit of time to actually change the system that we are involved in. So I'm thinking that until we actually change it, we will probably operate as if we are in the current system.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

That makes sense to me if we're -- if we're switching plans why should we require the commissioner to do the latter if it's unnecessary when we're moving away from that?

In section 24 that deals with the establishment of the Department of Aging, and I see that we've decided to

cd  
SENATE

306  
May 5, 2010

delay that for a year. And it says that the DSS adminstr  
-- shall administer the programs until the Commission of  
Aging is hire -- the commissioner is hired as well as a  
staff. And is there anything that is appropriated within  
this budget, preparing for 2011 when the Department of  
Aging will come to fruition? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

I believe that we moved all of those -- we  
eliminated most all of those funds from this current  
budget.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

If the -- Senator Harp could advise us to how much  
money has been moved from the current budget. So we've  
moved out of the DSS to the Department of Aging in the  
current budget, and how much? Through you, Mr.  
President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

cd  
SENATE

307  
May 5, 2010

Thank you.

Through you, Mr. President, we moved or eliminated \$452,864 from this budget.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you.

Mr. President, that \$462 -- or \$452,800 that is for programs, or is that for commissioner administrative salary, staff? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

The dollars are basically for personnel services and other expenses.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

So it's for personnel services and that's being moved over in this current budget year, which is set to end on July -- or June 30, 2010, or this for the next year? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you.

It's being eliminated for -- for both years. I believe that we passed it a number of years ago. And it's been eliminated in Fiscal Year '10 and Fiscal Year '11.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

In section 25 of the bill, you all know I focus heavily on law enforcement and issues like that, and I happen to see that we've given permission or availability for agencies, similar to AAA to renew ID cards, renew licenses. Then I saw something that was new that's not done prev -- or done now, and that appears to be -- allows for registration transactions. And, through you, Mr. President, could Senator Harp descri -- describe the type of transactions dealing with registrations that would be allowed?

THE CHAIR:

Senator Harp.

SENATOR HARP:

cd  
SENATE

309  
May 5, 2010

Thank you very much.

Mr. President, it's my understanding that it will be vehicle registrations.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

Would that entail new registrations or just renewal registrations? Will it also entail people terminating their registration when they go to turn in their -- their marker plates? Through you, sir.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President. I believe that's it limited to renewal registrations.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

If it's limited to renewal registrations, oftentimes if somebody does not go through the emissions, as required under our law, the DMV will not renew a registration and give cause to that. Will these agencies

cd  
SENATE

310  
May 5, 2010

have access to Department of Vehicle records to check on those scenarios and also if an act is caused by, say, somebody not paying a parking ticket or somebody has been found guilty through the infraction bureau, their registration may be suspended. Would they have access to the information to determine whether they should renew that registration or not? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you.

Through you, Mr. President, I would believe that they do -- that they will. It's just for renewals, and I believe that they would have access to the databanks that would indicate, one, if there were taxes owed on the car, if there were tickets and if there were other kinds of problems that would prohibit the renewal of that registration.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, President.

And that causes grave concern to me, ladies and gentlemen, because as you know, we've had issues in the



cd  
SENATE

311  
May 5, 2010

Department of Vehicles -- our Department of Motor  
Vehicles -- where members there were selling information  
to gangsters. They were committing crimes based on that  
information. People were being tracked down, stalked and  
harmed. And now we're moving the direction to place  
these machines in clubs, automobile clubs:

Is there anything in the bill, through you, Mr.  
Speaker, that requires a background check on the  
individuals that have access to this computer? Through  
you, sir.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you.

Through you, Mr. President, no, there isn't in the  
bill. And, I think, as you read the language you see  
that this permissive, and I would imagine that whatever  
needs to occur will occur through the commissioner's  
office. And I'm going to assume that they will take all  
care, if they do this at all. I don't think they're  
required to do it.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

And this certainly -- this issue, in particular, would have evolved through the Transportation Committee. I'm pretty certain that they would have seen parts of it. And I'm just wondering, through you, Mr. President, has this been discussed in the Transportation Committee or has there been a public hearing on this portion of the bill? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, not serving on the Transportation Committee, I couldn't comment on this. I will say that during the subcommittee's work on the budget that there was a public portion of their work in which the Department provided this particular option as a way to implement the Enhancing Agency Outcomes section of the budget. So I'm assuming that it had been discussed. It was discussed publicly there. I don't know that there was a public hearing on the provision, and I'm assuming that the Appropriations Committee, as a part of its budget, wasn't the only place in which this was heard.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

And I hope if this is adopted, becomes law that Governor Rell strikes that portion -- that option out because I don't -- I think there's going to be unintended consequences here. I had the option when I renew my registration online from my computer at home directly to the DMV. And I believe that's the way to go. I don't think we should have a terminal where individuals that may not -- may or may not have to go through a criminal background check. Part-timers working in the office, they may pull your name up to see what vehicles you have registered to you because it's a data base. People have been arrested. Cops have been arrested for using this computer and this data for unlawful purposes. There's nothing in the bill that talks about and, hopefully, if regulations that require you to go to a training class and how to utilize this information, signing documents that you pledge not to release any of this information. A key-stroke error could be a disastrous effect.

I had the occasion to speak to a gentleman out in the lobby the other day. We were talking about the toll booth. And he was telling me his license plate -- which I won't repeat here -- and he got a ticket. He says, I --

cd  
SENATE

314  
May 5, 2010

- the car never comes back. How -- how could I get a ticket. And they said, well, the plate was CT and then a couple of initials. He said, well, that's not my plate. My plate is the couple of initials. Well, the way the computer program went, they put the CT in front of it. And then he had to spend thousands of dollars and go to court and get the whole thing expunged because of a key-stroke error.

Imagine having somebody working in the AAA office, and you're going to renew your registration. And they type in a number, and they put a "K" instead of "J" or a "T" instead of an "S." And that becomes a permanent record. That shows your registration becomes proof of ownership. If your car is stolen, that's what's going to be entered. It's not going to match and the police are going to run it. It's not going to match. You're going to be pulled over. It draws a large concern. I don't -- I'd like to see that out of here.

And I hope if the bill -- the budget bill passes and Governor Rell removes that portion.

There's a big portion I -- I -- the goals are very laudable, but I cannot begin to venture the costs contained within section 28 of the bill when it speaks to homeless youth. And when we move down into the Homeless

cd  
SENATE

315  
May 5, 2010

Youth section, where we're going to provide clo -- these are for folks under 21 years of age that don't really have a place to sleep at night -- permanent place. We're going to look at providing clothing and housing and jobs and anger management, drug addiction programs, all these programs. And while I think they're very laudable, can the State afford it in moving in this direction. But, of course, we put the caveat within available appropriations. Oh, whoop ti do, available appropriations, there's zero, we have none.

We have some of these programs scattered throughout the state of Connecticut in some of the programs that we're offering, maybe through DCF, DSS. But now we're creating this new -- I'm going to call it "bureaucracy of bureau" that's going to help these kids. We should focus on the parents helping these kids.

Through you, Mr. President, to Senator Harp, in lines 756, with the budget bill before us, we're talking about the Commission on Children and Families. And if they entered into contracts to provide room and board and education for a private residential treatment center, they can only get paid if the education is done on campus. So that would exclude them, I under -- from my read -- of if the private treatment center -- residential

cd  
SENATE

316  
May 5, 2010

treatment center is located within the town and they want to send them to the public school. They can do that under this bill, is that not correct? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

As I understand this, currently, if it is a residential treatment center that we won't pay extra funding unless the educational services are actually provided by that treatment center. If they're not and the child attends public school in that community, then the community would pick up the costs.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

So the entity -- the private residential treatment facility, say it's for drug addiction, and they would still -- the State would still provide for the cost of the room and the board and the education if it's happening in the public school, they just wouldn't pay for that; is that not correct? Through you, Mr. Speaker.

THE CHAIR:

cd  
SENATE

317  
May 5, 2010

Senator Harp

SENATOR WITKOS:

Mr. President, I'm sorry.

SENATOR HARP:

Thank you very much.

If the educational services are provided on campus or at the residential treatment center, then the State would pay. But if the child goes to a local public school, it would be paid for through that local public school. And I believe that with DCF children, there is an obligation for the sending school district to pick up some of that cost.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

And I thank Senator Harp for that answer. Moving on to section 41, if Senator Harp could please describe for me what the Bradley Enterprise Fund is? And how that is -- it obtains its revenues? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

cd  
SENATE

318  
May 5, 2010

The Bradley Enterprise Fund is a fund that is set up that collects all of the fees that the airport receives for, I think their landing fees, their take-off fees and there are the rents that they get for the various operations that exist within Bradley International Airport, all of their rents, all of the landing fees, take-off fees and any other associated fees go into the Bradley Enterprise Fund.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

And now all the fees that come in from -- it sounds like every -- every type of fee that is generated at the airport whether it's gate fees or, as Senator Harp said, landing fees. We -- those of us that have been up to Bradley know how beautiful it is with all the merchant shops that are in there, rental fees for the space. What comes out of the fund? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you.



cd  
SENATE

319  
May 5, 2010

I think that one of the things that the fund is required to do is to pay for the cost of Troop W, which are our public police that man Bradley International Airport.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

Now, that's one, I would imagine, small part of the astronomical amount of money that must be in the Bradley Enterfise -- Enterprise Fund, but maybe it's not astronomical. So I guess I'll ask that question, Mr. President, through you, does Senator Harp know what the average balance is on a yearly basis to the Bradley Enterprise Fund? And also, what the cost of Department of Public Safety, Troop W operations are? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you.

Through you, Mr. President, I'm going to say that I don't know. But I can get that information for you. I don't have it available right now.

cd  
SENATE

320  
May 5, 2010

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

Through you, and this will be my last question on that, do you know if there's anything else that is paid out of the Bradley Enterprise Fund? Is it just for the - - the State Police, their troop up there, or do they pay for maintenance in the area? Do they pay for any consumables that are used by anybody -- I have no clue, so that's why I'm asking? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you.

The Bradley Enterprise Fund, I believe, pays for all the costs associated with running the airport.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you.

And now that makes me curious that we have to have a law -- and it's new -- that says the auditors of public accounts have to audit the Enterprise Fund to determine

cd  
SENATE

321  
May 5, 2010

only the Department of Public Safety, Troop W. Why are we not, number one, auditing the entire account? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you.

Through you, the Transportation Fund and -- if we are inadequately reimbursed by the Bradley Enterprise Fund for the operation of Troop W, it costs our Public Safety Department excess dollars. And what has occurred over the past few years, one, it took five years to develop a memorandum of understanding between the Department of Public Safety and the Brad -- the Department of Transportation regarding the payment for Troop W. We finally have that understanding in -- through a memorandum of understanding.

And it's the belief of the Appropriations Committee that because there are still disagreements about whether or not the Department of Public Safety is adequately reimbursed for the work that is done by Troop W, it is our feeling on Appropriations that there need to be audits of that account and a third party looking at it because this -- these are disputes that are ongoing over

cd  
SENATE

322  
May 5, 2010

many years, and it is our belief that an audit will solve that problem. And the lack of solving that problem means that the taxpayer of this -- payers of this State through the Department of Public Safety will foot a bill that really should be actually a bill that is paid by the Bradley Enterprise Fund.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

Sounds like we're going to flip a light switch on this because it -- from the remarks of Senator Harp, there's been some difficulties with this account for quite some time. Whether or not the amount being reimbursed is appropriate who have made -- or whether the work being performed is adequate. It's a shame that it's taking this long that we have to put into law that we're going require our auditors to look at the account in the reimbursements. You would think and hope that that would be part of our annual process of reconciling our accounts. And if there were difficulties between the Department of Public Safety and the Department of Transportation, they would be ironed out by now. Why it's an ongoing concern is a concern to me. Because when

cd  
SENATE

323  
May 5, 2010

you have disgruntled employees and people pointing the finger at each other, you pay this, I pay that. Who pays what? I don't know. Off it goes, and then we don't talk about it until we present it in a bill a few hours before adjournment on a session that's been going for a couple of years.

I would hope that the commissioner of both agencies could be brought in before a respective committee and asked what's going on. Sometimes we -- I think we do things in law needlessly. And this is one example why. Why -- you ask the -- the general taxpayer in Connecticut, Do you think we should have a law that audits the reimbursement from the Bradley Enterprise own Fund to Department of Public Safety? Well, they're going to say of course. Why wouldn't you audit it? Well, because there's been disagreement, there's been arguing back and forth between the two agencies for a couple of years, so haven't quite figured it out yet, but maybe with the law that'll do it.

And I -- I find it difficult to understand because these memorandum of understandings aren't written on the back of a napkin. Those are negotiated items. And generally, they're very specific and clear as to the intent and the meaning of what's to be done within that.

cd  
SENATE

324  
May 5, 2010

And is -- if a party is aggrieved by that memorandum of understanding, then it's brought to somebody's attention so that it could be resolved. And I don't know if auditing is going to resolve the difficulties because I don't know what the difficulties are.

And, through you, Mr. President, does Senator Harp have any idea of what the difficulties are with the memorandum of understanding? Through you, sir.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

You know, I think that one of the things that I would like to say is that, you know, oftentimes both the -- the Department of Transportation and the Department of Public Safety agree that the Department of Transportation should just spend the extra dollars. I think it's in the interest of the legislature to assure that it's efficient and that they abide by the memorandum of understanding. And if after there is an audited accounts, we determine that the appropriate amounts that are paid by both parties are accurate then I think that we will know. But, having a neutral party, an auditor, audit that account on our behalf, I believe protects the taxpayers'

cd  
SENATE

325  
May 5, 2010

investment in what goes on, both, in Department in Public Safety and at Bradley International Airport.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Mr. President, I couldn't agree more. I just wish that these concerns that come to our attention as soon as they are cropped up because, you know, this -- our inaction or inability to act may have -- costing the taxpayers money and needlessly.

Mr. President, through you, section or line 1035, talks about the Connecticut State University Operating Reserve account. And in the budget, before us, bill it adjusts that amount, and takes \$2 million originally to be raided up to \$10 million to be used in the General Fund. And I'm wondering, through you, Mr. President, do any student fees go into the Operating Reserve account? And if not, how is that account funded? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

cd  
SENATE

326  
May 5, 2010

There are some student fees that go into that account. And we took fee -- dollars out of the UConn account during deficit mitigation and we're taking dollars out of this account in this particular budget, so. I don't necessarily -- I wouldn't say that -- that we are not actually taking some of the fees that had been placed in through Student Accounts.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Mr. President, we talk about the cost of education in Connecticut. And we just heard that the fees that students pay to go into this fund are being raided, originally from \$2 million to \$10 million to our General Fund to pay our bills. Shame on us. That's why education's so expensive. I'm going to have to do a study over the summer and put down every little thing that we do, fees here, fees over there. And what we've raided to fund our general obligations. It's not right. These fees are for students to get a quality education. They pay that, hard-earned dollars. A lot of these students hold down a job just to pay for their tuition.

And I'm wondering, Mr. President, if we gave \$10 million into that fund, would it reduce the cost of a



cd  
SENATE

327  
May 5, 2010

student to get a education in Connecticut? I'm certainly not happy to see this in the bill, and we're learning that these family struggle for the cost of an education in Connecticut are now paying the General Fund.

Once again, we're taxing the taxpayers of Connecticut. When my children get to be college age, I'll be thinking, I'm almost out of debt because I'll be a few years away from paying off my mortgage but, no, here come the bills, 10,000, 20,000, 30,000 dollars a semester. By the time I'm done paying for college education for two children, I'll have paid more in college education expenses than I paid for my house. And I wouldn't mind that because it would help my kids get a better future. But I don't want to pay any more money to the State of Connecticut to pay their bills because they're not doing it -- the right thing. I have a problem with that.

In line 2038, Mr. President, we're speaking of the Behavioral Health Partnership Oversight Council. And I see that the only change in this section was the removal of an appointee by the Minority Leader of the Senate. The Speaker of the House retains four appointments, the President Pro Tempore of the Senate retains four appointments. The Majority Leader of the House retains

cd  
SENATE

328  
May 5, 2010

two appointments. The Majority Leader of the Senate retains two appointments. The Minority Leader of the House retains two appointments. The Governor retains four appointments, but the Minority Leader of the Senate loses an appointment, from two to one. Could the fine Senator explain the reason behind that? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

Through you, Mr. President, I really don't have an answer for that.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

I guess I have no comment on that one, Mr. President, because there is no reason why. I hope it was an oversight because it's not fair that one individual who is equal partners with the House Minority Leader has now lost an appointment to this council.

Mr. President, I do have one question for Senator Daily.

THE CHAIR:

cd  
SENATE

329  
May 5, 2010

Please proceed, sir.

SENATOR WITKOS:

Through you, Mr. President, to spread the burden of the bonds and the charges remitted to the General Fund equitably among all the Connecticut ratepayers, including those of the electric distribution companies municipal electric department; is that correct? Through you.

THE CHAIR:

Senator Daily.

SENATOR DAILY:

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

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

And I will conclude my remarks at this time as I have 110 more pages to read, and I may be standing up later on in the debate. Thank you, sir.

THE CHAIR:

Thank you, Senator Witkos.

Will you remark further on the Emergency Certified Bill as amended by Senate Amendment A?

Senator Kissel.

SENATOR KISSEL:

cd  
SENATE

330  
May 5, 2010

Thank you very much, Mr. President. Great to see you up there this evening at about 7:33.

THE CHAIR:

Good to see you, too.

SENATOR KISSEL:

Just a few initial questions and then probably some broad brush discussion at 30,000 feet, but, through you, Mr. President, some questions regarding the bill that affects the Department of Corrections.

THE CHAIR:

Please proceed, sir.

SENATOR KISSEL:

And I -- I -- I believe this would probably go to Senator Harp, and I'm referring to page 43 out of 245. And it's sort of the breakdown of the dollars, and I just want to sort of run through them.

The first notation at lines T-895, Personal Services, and it appears from my reading of this that we're going from 417 million, down to 900 -- 393 million. But I'm just wondering that line item, Personal Services being reduced by about \$20 million, does that contemplate that there would be a reduction from the current number of correctional officers that we have in our correctional facilities? Through you, Mr. President.

cd  
SENATE

331  
May 5, 2010

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you.

Through you, Mr. President, I believe that there will be a reduction due to attrition.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much.

And at this time, I guess I'll just raise the concern that in speaking recently with the Commissioner of the Department of Corrections, Commissioner Murphy, we want to make sure that if we do proceed down that path and there is any reduction in corrections officers due to attrition that we have adequate staffing levels within all of our facilities.

I have spoken to Senator Harp and some other folks on the other side of the aisle regarding initiatives that, perhaps, could reduce the number of inmates in our correctional facilities with an eye towards not creating a laundry list of quote/unquote, nonviolent offenses but addressing it in a very nuanced and thoughtful fashion. But I do believe that as much as these

cd  
SENATE

332  
May 5, 2010

reductions do reflect not filling correctional officers through attrition, we have to be very mindful and monitor this on an almost daily basis, as the Department of Corrections does, to make sure that we have adequate staffing levels at every one of our correctional facilities.

And if I may, through you, Mr. President, my recollection of the last budget that was passed in the Fall of 2009, that there was some concern that I had as to the level of savings that was anticipated in Corrections. My recollection was that it -- that it was built in be something like \$40 million. But I think in actuality it's only been about \$14 million. And I'm just wondering if I'm way off on that recollection and where -- sort of what was the projected savings? And where did we land? Through you, Mr. President.

SENATOR HARP:

Thank you very much.

I believe that there has been an \$18 million savings in Corrections this year. And as I recall, I think our proposal in the biennium was around 23. In the Governor's proposal to her which this budget accepts, and not the Appropriations Committee, the Governor is projecting another 10 million, which I believe is

cd  
SENATE

333  
May 5, 2010

reflected through T-894 and 895. So that we -- in the final document, accepted the Governor's \$10 million reduction as opposed to our \$23 million reduction, which would have been together a \$33 million reduction. So we moved away from \$33 million to 10.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

I want to commend Senator Harp for that aspect of this budget proposal and moving from something that was aspirational and fairly optimistic until -- and down to something that is far more realistic.

And again, as a state senator who has six correctional facilities in his district throughout three communities in North Central Connecticut, housing in excess of 8,000 inmates on any given day, making sure that we have adequate funding levels and proper staffing levels for these facilities is a fair amount of importance. Because one of the fundamental things that a state government should be about is public safety. And we don't want to go down the path of the wholesale release of quote/unquote nonviolent offenders, who in many respects may have pled down to something that could

cd  
SENATE

334  
May 5, 2010

be characterized as a nonviolent offense, although their original arrest was for something that may have been far more unsavory and violent and, therefore, that individual would definitely pose a threat to society, unless he or she turned their lives around.

Another aspect that I had some concern with regarding these adjustments is in line 2 -- T-898, from the same page. And in many of respects in looking through these adjustments for various state agencies, many of the line items have gone down, but in this one the line item has gone up from 24 million to 29 million, and that's for Workers' Compensation Claims.

And my concern, through you, Mr. President, to Senator Harp is are we anticipating that there might be more attacks on corrections officers, therefore, precipitating a \$5 million increase in what we can anticipate in Workers' Compensation Claims? Because I feel a lot better if our Workers' Compensation numbers were going down rather than up. Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:



cd  
SENATE

335  
May 5, 2010

Through you, Mr. President, I believe that the way in which this line is projected, it looks at existing personnel who are getting services through Workers' Compensation. And I don't believe that it projects out an increase in Workers' Compensation claims but looks at -- it looks at a trend line. And it takes into consideration the current costs that we are paying.

One of the things that we heard during testimony is that while the number of people who are on Workers' Compensation hasn't really increased that much, the cost of care has increased. So I believe that some of the increase reflects the cost in care and the type of inj -- of current injuries that are under care.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much.

And so am I to glean from that answer that I -- I -- and I bet you I know the answer to this that Senator Harp shares with me a concern that we have adequate safety for all our corrections officers and that we would never, as a state, go down any path that would put them at risk unduly in any way, shape or form. Through you, Mr. President.

cd  
SENATE

336  
May 5, 2010

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you.

Through you, Mr. President, I absolutely agree with the gentleman. And as a matter of fact, the Appropriations Committee has worked very hard with the Department to control its Workers' Compensation costs and to come up with programs that minimize injury on the job.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. And I -- and I really appreciate that answer. There was a period in time when we were looking at cost savings. And clearly, with the Department of Corrections having such a substantially high total operating budget that one looks to that and says, wow, there's got to be a lot of savings in there. But it's a very difficult area to manage in a responsible way. It's 24/7, 365 and a quarter days a years. You can never take your eyes off the ball when you're dealing with these folks. We want to turn their lives around. We want them to be productive citizens. And we're -- I think that our state is very much in the forefront nat --

cd  
SENATE

337  
May 5, 2010

nationally in moving down a path -- well, where we're trying to break the cycle of recidivism. But my belief is that while we're charting that course and moving in that direction, it's certainly not anything that can happen overnight.

I now would like to draw Senator's Harp's attention to page 53 out of 245. And it seems to be a recapitulation where the net change of the overall budget figures goes from \$17,474,000,000, up to 17,668,000,000. And I'm wondering is that sort of the total adjustment that we're seeing year to year? And is that what I've heard in the hallways of this esteem building the 0.9 percent budget increase? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, I believe that this is the General Fund increase, and it's .6 percent.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much.

And as much as I think that in this recessionary economy and given trend lines, we should try to be a

cd  
SENATE

338  
May 5, 2010

level funding because I know a lot of our municipalities are trying to get there. Certainly, 0.6 is a substantially lower number that we have seen historically as a state. And I guess in relation to that, have we moved anything outside the General Fund that might skew this figure, or is this an exact comparison year to year so that I can at least tell my constituents while I did not support this particular budget change that came before us, at least, the overall trend -- looking for some light at the end of the tunnel -- is moving in a precipitously down direction as far as state spending.

And again, the salient question -- the key question being is it -- is it apples to apples as far as what's underneath the General Fund umbrella? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, I believe that it is.

I'm -- I'm sure that the circle is aware that the Appropriations Committee moved some things into the Banking Fund and the Insurance Fund. All of those things were moved back into the General Fund. And what you see

cd  
SENATE

339  
May 5, 2010

is a budget that is very similar to budgets that we've passed in the past.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

Just one general question through -- to Senator Harp, and then I have some general opinions on where we're going as a state.

I noticed in here and, again, it's a rather lengthy bill, and my constituents want to make sure that we do read these bills and march through them. And, you know, we -- I could -- I could go on for hours on some of the details of the bill, but there was a section that referred -- it sort of had a list of all the municipalities. And it had dollars associated there with. And it was unclear to me whether that is a dollar reduction to municipalities, a dollar addition to municipalities or what that actually was. And I'm sorry I can't reference the page exactly, but it was after -- here it is -- pages 84 -- starting on page 81, section 27.

SENATOR HARP:

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

cd.  
SENATE

340  
May 5, 2010

THE CHAIR:

Senator Harp, go ahead.

SENATOR HARP:

One of the problems that we had with our biennial budget, particularly, Fiscal Year '10 and Fiscal Year '11, is that we underfunded Special Education. And what we wanted to do since all of the towns had already passed their budgets in Fiscal Year '10 and had a good idea of what they were going to do on Fiscal Year '11 is that we wanted to hold them harmless. And so, basically, what we did was -- it's approximately a little over \$19 million that we underfunded Special Education. So we took those dollars out of the Transportation Fund, and we reallocated those dollars to the Special Education Fund, utilizing the Transportation Fund expectation for each town so that no town gets a reduced amount.

THE CHAIR:

Senator Kissel.

SENATOR HARP:

Through you, sir.

SENATOR KISSEL:

Thank you very much.

And so, through you, Mr. President, looking, for example, at line T-1472, Enfield -- the largest community

cd  
SENATE

341  
May 5, 2010

that I serve and the town that I live in -- the number to the right is \$250,062. And is that a dollar amount that the Town was shortchanged or was that a dollar amount that the Town realized it wasn't going to get? It's moved forward thinking it wasn't going to get it, but should this bill pass, the Town will actually be pleasantly surprised to realize this is an additional appropriation to them of 250,000. Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, the Town was expecting the dollars. They just thought they were going to get it through their Transportation line item. But they're going to get it through their Special Education line item instead. They weren't expecting it for Special Education, but they will be getting the dollars and be held harmless. It'll just be coming through a different line item.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much.

cd  
SENATE

342  
May 5, 2010

So will this -- through you, Mr. President, will this have a net reduction in their transportation, or that's a net reduction in our -- our Transportation line item? In other words, are my municipal leaders going to be the same tomorrow as they were -- are today, or is there going to be some shift for the better for the -- or for the worst? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Through you, Mr. President, think of it this way. I'm going to give you \$5, and I told you I was going to take it out of my left pocket. But I decided that I'm going to give you \$5 but instead I'm taking it out of the right pocket. You were always expecting \$5 from me. And that's pretty much what we're doing with our local boards of education.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much.

And, I know I've said last question, but -- okay, that addresses these pages. Is there anything in any of this, 245 pages, that affects our municipalities one way



cd  
SENATE

343  
May 5, 2010

or another or are they, basically, sort of kept whole out of this whole -- within this whole process of budget adjusting? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much, Mr. President.

The only thing that impacts municipalities is the \$5 million cut to the MM&E pilot, that's a Manufacturing Equipment pilot.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. Well, that disconcerting. Even though it's just \$5 million, that's \$5 million extrapolated out to 169 municipalities so I'm going to go to my first selectmen and my boards of finance and my mayors and my town councils, and they're going to say what did you do with the budget mitigation plan or this deficit plan? And I'm going to say, well, A, I voted against it, but B, it cut \$5 million going to towns. And so is there some kind of run sheet that has how this is going to play out in each municipality so at least they

cd  
SENATE

344  
May 5, 2010

can get a heads up as to the reduced funds they're going to get? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you very much.

This is very different than your typical pilot, like the College and Hospital Pilot or the State Pilot where there are runs. This is based upon property tax abatement that the State does based upon the purchasing of equipment for manufacturing in a community. And it changes from year to year. So I -- we don't really have runs on that.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you.

And so this MM&E, this Municipal Manufacturing Expenditure? -- Equipment expense. My understanding is that we put that program forward to incentivize municipalities to tell manufacturers that they should go ahead and -- and purchase that new equipment. And we, as a state, would welcome that. And in this global economy where we are competing, not only with other northeastern

cd  
SENATE

345  
May 5, 2010

states, but states throughout the United States and other countries, if a manufacturer had three plants, one in Ohio, one in North Carolina and one in Connecticut, all things being equal, well, if I'm going to close down one and build up another with new machinery, I'm going to go to Connecticut because I'm going to get that tax break. And it seems to me that we continue to whittle away at that. And is that sort of what the underlying program was supposed to achieve? Through you, Mr. President.

THE CHAIR:

Senator Harp.

SENATOR HARP:

Thank you, Mr. President.

I really -- could you be a little bit more concise in your question? I think I got lost in the middle of it.

THE CHAIR:

Senator Kissel, would you rephrase, please?

SENATOR KISSEL:

Sure, I'd be happy to, Mr. President.

This is a program that incents businesses to purchase new manufacturing equipment and locate that equipment in Connecticut municipalities. And if we continue to underfund or reduce funding to this program,

cd  
SENATE

346  
May 5, 2010

are we not undermining the ultimate goal of incenting businesses to purchase and locate new manufacturing equipment in our 169 municipalities? Through you, Mr. President.

SENATOR HARP:

Through you, Mr. President, I believe that this is just one of the many tools that we have in our state to incent businesses to come to Connecticut and stay in Connecticut. We provide over \$5 billion worth of tax credits to businesses that remain on our books and are utilized to help. I think this is one program that offsets the cost of local property tax. And depending upon your community, that can either be a lot as it is in my district, or it can be very little as it is in others.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. I appreciate all those responses from Senator Harp, and I have no questions for the good senator from New Haven.

And on a lot of those issues that I was concerned with, and, in particular, the Department of Corrections, I really enjoyed working with Senator Harp over the last week to try to refine how we address those issues. And I

cd  
SENATE

347  
May 5, 2010

believe that our state is taking a very good approach to public safety when it comes to anticipated savings that can be gleaned through the Department of Corrections.

Nonetheless, and I'll be brief, I want to take this plane up to 30,000 feet right now. We borrow a billion dollars. We used \$360 million in federal stimulus money. And I think the only thing that we're stimulating is our current unsustainable state spending. Certainly, there's no new jobs being created, only public sector jobs being saved to some extent by using the federal stimulus money in this way.

We're underpaying our Pension Fund another \$100 million. I believe that's after about a month ago Governor Rell unilaterally used her authority under the CBAC agreement to underfund the Pension Plan \$100 million. And this in light of the fact that it's been admitted that our projected budget deficit for the next fiscal year that the next governor will inherit, will exceed \$3 billion.

The problem that I have with this bill, with all due respect to Governor Rell, whom I admire and respect and who through her dogged efforts to negotiate with the Majority Party, has saved us over a billion dollars in the last two years, is that at this point in time, we

cd  
SENATE

348  
May 5, 2010

should take the necessary actions to right the ship of state.

The analogy that I would draw is the one that we use in the medical community of the earlier you go in for a checkup and you find if there's something wrong with you, the earlier you can treat the problem, the better your chances of success. If you've got a bad cough -- if you have bad cough and you just let it go and go and go, and then finally you visit a doctor. They say, well, we're going to have to take out a lung now or this disease is inoperable and you're terminal. I don't want to believe that the State of Connecticut is at that point just yet, but the cough is really heavy right now. And I think it's driving up the blood pressure of the State. And the heart is beating at rate far too high to allow it to do all the other things that it wants it to do.

Our state is not well. And it is incorrect, in my humble opinion, to say, well, look at the rest of the country, we're in a deep recession, we're no worse than other states. Yes, we are. Yes, we are. When you extrapolate per capita indebtedness -- when you extrapolate per capita indebtedness due to our unfunded pension plans, health care plans, for legacy state employees, our borrowing, our bonding and our

cd  
SENATE

349  
May 5, 2010

continuation to borrow to pay for current operating expenses, I believe if you compared California to Connecticut, Connecticut is far worse.

This is our moment to shine, and we're missing it. I went on for probably the better part of 20 minutes yesterday on the UConn plan where I indicated we have to figure out the "likes" from the "needs." And what this particular bill does is it proposes that decision and it puts us in a much more difficult position next year. I know we want to move on. It's about five of eight. We have about four hours and four minutes left in this legislative session to get a lot of business done. But at the same time, I understand that in a blink of an eye if we work together on a consent calendar, we can move bills. So let me just take two more minutes.

I really know that cutting spending is hard and painful and not fun at all. But postponing and postponing and postponing these difficult decisions is going to make it that much more painful. I just can't say it enough. I can't. I don't know where all of us are going to be a year from now. But for those folks that are sitting in the 36 chairs of this circle a year from now, I think you're going to look back on these last

cd  
SENATE

350  
May 5, 2010

couple of years and shake your head and say why didn't we do something sooner.

My constituents know that. They want us to act. They see it in their home budgets. They see it in their business budgets, and they want us to be responsible as well. A golden opportunity lost, Mr. President, that is why I cannot support this bill at this time. Thank you.

THE CHAIR:

Thank you, Senator Kissel.

Senator Harp.

SENATOR HARP:

Thank you, Mr. President.

There is another amendment. It is LCO 5735.

THE CHAIR:

Mr. Clerk, please call the amendment.

THE CLERK:

LCO 5735 has been designated Senate Amendment  
Schedule "B." It's offered by Senator Harp, the 10th District, et al.

SENATOR HARP:

Thank you very --

THE CHAIR:

Senator Harp.



cd  
SENATE

351  
May 5, 2010

SENATOR HARP:

Thank you very much. I move the amendment.

THE CHAIR:

Will you remark?

SENATOR HARP:

Thank you very much.

This amendment strikes sections 143 and 144 in their entirety and renumbers the remaining sections accordingly. And it eliminates the Post Employment Benefit Deficit Funding Pilot program that is associated with the one municipality in our state. I urge adoption.

May I have a roll call vote, please.

THE CHAIR:

Yes, you may.

Question's on Senate Amendment Schedule "B." Will you remark further? Will you remark further? See -- please call the pendency of a roll call. 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:

cd  
SENATE

352  
May 5, 2010

Question before the chamber is the adoption of  
Senate Amendment Schedule "B" that was offered by Senator  
Harp.

Have all the members voted? Seeing all the members  
have voted, the machine will be locked.

Mr. Clerk.

MR. CLERK:

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

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

THE CHAIR:

The amendment passes.

Will you remark further?

Senator Daily.

SENATOR DAILY:

Thank you, Mr. President.

I would like to ask the Clerk to call LCO 5719.

THE CHAIR:

Mr. Clerk.

THE CLERK:

cd  
SENATE

353  
May 5, 2010

LCO 5719, which is designated Senate Amendment

Schedule "C." It is offered by Senator Daily of the 33rd District.

THE CHAIR:

Senator Daily.

SENATOR DAILY:

Thank you very much, Mr. President.

I move the amendment.

THE CHAIR:

Question is on adoption. Will you remark, madam?

SENATOR DAILY:

Yes, I will. These are the revenue estimates adopted by Finance, Revenue and Bonding this morning.

THE CHAIR:

Will you remark further? Will you remark further on Senate Amendment Schedule "C"? Seeing none, test your minds. All in favor indicate by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nay.

Ayes have it.

The amendment's adopted.

cd  
SENATE

354  
May 5, 2010

Will you remark further on the Emergency Certified  
Bill as amended?

Senator McKinney?

SENATOR MCKINNEY:

Thank you, Mr. President. A brief moment of unity  
on those two amendments shall now be broken.

THE CHAIR:

Nice to see you.

SENATOR MCKINNEY:

Thank you.

Mr. President, I rise in opposition of the budget  
adjustment bill before us. And I do so with some  
frustration and some disappointment. Not too long ago,  
we stood in bipartisan unity in this circle, after much  
hard work, some fighting, but a lot of earnest hard work  
to balance our 2010 budget deficit with a deficit  
mitigation package that was supported by Democrats and  
Republicans, alike. And indeed, it was my hope that the  
progress we made together in balancing our 2010 budget  
deficit would springboard us to solving our 2011 deficit  
and making structural changes in our state budget.

And I would say, Mr. President, that for some time,  
I think, discussions in leadership meetings, budget  
negotiations, whatever you want to describe our

cd  
SENATE

355  
May 5, 2010

conversations, I think there was some progress made. There were areas of agreement between Republicans and Democrats and the Governor's office. Unfortunately, there came a time when we could no longer agree on some fundamental principles. And it is because this budget mitigation package -- and I think we should call it a budget mitigation package. We passed a two-year budget. The first year was in deficit, 2010. We did a deficit mitigation package the second year which begins July 1, 2010, which is our Fiscal Year 2011 is also in deficit. And this purports to balance that.

There came a time when some fundamental principle changes to our budget that we, as Republicans, believed in were not included. And it is that point where, reluctantly, I knew I would rise in opposition to this budget when it came before us.

And I just want to very briefly describe what those principle disagreements were. And let me say, before I get into those comments, Mr. President, the President of the Senate, as he tried to moved us towards a deficit mitigation package in 2010 and towards this in 2011, I believe was sincere and hard working in his desire to solve our budget problems. We have some disagreements about how you do that. We have some disagreements in the

cd  
SENATE

356  
May 5, 2010

process of how you get there. But at all points, even though there were disagreements, I think the intentions were to get us to this point.

And I want to say that up front because I think that's important. I think as we spent some time today -- maybe a little bit more than people wanted outside the building but not enough from my perspective -- thanking and attributing four of our colleagues who will not return to this circle. One of the themes was an ability to disagree without being disagreeable. And I think at times we've lost that.

One of the themes was, you know, partisanship in a good way, as Senator Looney has talked to me about over the years. And so I think that's where we are in this budget deficit mitigation. Some differences in principles and philosophy and process but those disagreements are not done in a disagreeable way.

So what are those disagreements? First and foremost, once this deficit mitigation package is signed into law, the State of Connecticut will actually be spending more money in 2011 than the budget that was adopted last year, in fact, some \$74.2 million more. And we'll be told, and we have been told, there's reasons for that. But I think, fundamentally, when you tell the

cd  
SENATE

357  
May 5, 2010

people of the State of Connecticut that the way we solved our massive budget deficit ends with the result being \$74.2 million more being spent, they will be disappointed in our actions.

Fundamentally, we, as Republicans, believe that we should have done more to reduce our spending, cut some of our programs, very difficult, indeed. And there are some spending cuts in this package. I believe around \$51 million. But even that number falls below the real spending cuts that were achieved in the budget that passed the Appropriations Committee so there's some disappointment that we may have even retreated from that moment of a month or two ago.

This budget, in general, does not significantly attack our structural hole of 2012 and 2013. We are projecting a \$3 billion-plus budget deficit in 2012. And as I read this, there is some \$216 million reduced off of that \$200 and -- that 2012 budget. While I don't say that \$216 million is nothing, it is not a significant chunk of that \$3 billion deficit. We are still left with a massive structural hole in 2012.

Philosophically, one of the reasons why we believed we needed to cut more was not only to attack that 212 deficit, but because this budget and, candidly, our

cd  
SENATE

358  
May 5, 2010

Republican proposal relied upon the hopes of \$366 million from the federal government. And I will say that there were groups, I guess, NCSL and others were advising states not to count on that money because it hasn't passed in Washington. They haven't extended the American Recovery Act. But I think it was the hope and belief that our members of Congress and our Congressional delegation, just as 49 other states, would say we need to do this because our states are struggling. And I hope that message is heard loud and clear down in Washington, DC. They don't have the responsibility to balance their budget. And we have seen both Democrat and Republican administrations willingly use that ability not to balance the budget, to spend more in Washington. And so I, for one, hope that we get this federal money, but we believed we needed to hedge against not getting it, and one of the ways we should have done that was to spend more money.

Fundamentally, we believe this budget deficit mitigation package borrows too much money. When we closed the 2009 fiscal year with close to \$900 million in debt, we borrowed that money. We were able to balance 2010, but here we are in 2011 borrowing close to \$1 billion. And, Mr. President, with all due respect, I



cd  
SENATE

359  
May 5, 2010

don't think it matters whether you call it securitization or economic recovery notes, it's borrowing.

We've had these discussions before in this circle. We've use economic recovery notes in times of trouble in the past but not to the tune of a billion dollars, less than 18 months after we borrowed our first billion dollars. So securitization was a loss of revenue stream for ten years. These economic recovery notes are eight years that makes it a little bit better, but it's still borrowing another \$900-plus million, which the people of the state of Connecticut will be paying over the next eight years. And we've also, as we have done repeatedly in the past, taken the fast way out and exempted that borrowing from our statutory bond cap.

Now I understand these are 8-year notes versus 20- or 30-year which are more traditional, but the reason this time, I would submit, that we had to exempt these ERNs from the statutory bond cap is because if we didn't, we'd be over that cap.

We had a debate on the UConn Health Center just the other night, and I warned about 237 million new dollars being bonded. And in the span of less than 36 hours, we're now over a billion dollars of new borrowing in the State of Connecticut at a time when I think we've already

cd  
SENATE

360  
May 5, 2010

borrowed too much. And it was my hope that as we face these very difficult economic times, we, as a state, would not borrow for operating expenses. We, as a state, would say, although difficult, we must only borrow for those things which are of the highest priority, our public safety, our roads and bridges and our education system. Many other things that we do, although worthwhile, we can no longer afford in these bad times.

When we talk about borrowing, as we did last night, with UConn Health Center and we do tonight, we cannot forget, we cannot forget that that borrowing has a significant impact on our General Fund as well. And we, again, will spend well over a hundred million dollars of our General Fund to pay for that borrowing. That's real money out of the pockets of the people of the State of Connecticut.

Now, again, we didn't just oppose all of this borrowing because we borrowed too much and we incurred too much debt, we have. And as I've said before, if you look at the study from the Pew Center and you add bonded indebtedness and unfunded pension liability, Connecticut has the highest per capita debt in the nation. New Jersey is a relatively close second. California, New York, Massachusetts, places that we, in Connecticut, like

cd  
SENATE

361  
May 5, 2010

to say, oh, we're not as bad as them. Well, guess what? When it comes to our long-term bonded indebtedness, we are far worse, far worse than California and New York, more than twice as bad. And that is a problem that is going to hit on the backs of our taxpayers in the state of Connecticut hard in the years to come.

In addition to too much borrowing because our debt is too high, we didn't like the way we were going to pay for this borrowing. Yes, it's true that on top of the \$1.2 billion tax increase put on the people of the State of Connecticut in Fiscal Year 2011, there are no additional tax increases as we tend to describe tax increases in this circle. I would argue that 1.2 billion was quite enough.

But we are increasing costs to ratepayers on their electric bills through the stranded cost that will have an increase on every ratepayer in the state Connecticut over years to come. And we can say it's not a tax increase, but when people go to pay their electric bills, they're going to think it's a tax increase.

There are some other minor pieces to this and I don't want to spend too much time on it, but I do have continued concerns about stopping transfers to our Special Transportation Fund. I do have continued

cd  
SENATE

362  
May 5, 2010

concerns about how we, in this circle, in an attempt to do good, create things like the Energy and Conservation Load Management Fund, create things like the Community Investment Act. Ask people to pay for those funds whether it's in higher recording fees or electric rates, we don't call them tax increases, but then when we run into budget troubles, we go to those funds and take the money away. And I know the Majority doesn't like to do that. I'm not suggesting you do that with great joy. But I am suggesting that the people of the State of Connecticut when we create these funds, when we say, please, pay more in your recording fees because we're going to use that money for farmland preservation and open space and historic properties and affordable housing, they say, right, just like you told us the money from the two casinos was going to be dedicated all to education. Now I wasn't around here when that was said, and I don't even know if it was true, but all of my constituents believe that to be the case. And they do have a point that we tend to make promises and then break them when we have tough difficult times and sweep these funds to cover our unwillingness to make more difficult and admittedly more difficult decisions.

And I think at the end of the day what is most disappointing for us, as Republicans, is that this is not a change in the way we do business. It is in many ways business as usual. Some of the structural reforms, some of the out-of-the-box thinking and changes to our government structure and how we spend our money, none of those ideas are incorporated in this budget. We had all talked about consolidating state agencies, taking our Economic Development Agencies and creating one agency to make that agency more efficient, smaller and save money. None of that is in here.

We have talked about the ability to privatize some state services that the private sector, specifically, the nonprofit private sector, can do more efficiently and more -- and better, just better, than the State of Connecticut can. And none of that is in here. Whether it's looking at closing Riverview Hospital or anywhere in between, we make no real attempt to streamline government and outsource those things that the nonprofit sector and the private sector can do for less money. It's not a cut in services to the people who need it. It's providing services through a different provider. One that saves us money. Why would we not think about doing that?

We also believe -- we also believe that we needed to ask our state employees to do a little bit more, whether it's in an early retirement incentive plan or other concessions. And they did give a lot in the first round of concessions. Our state employees are good hard working people. But we, as Republicans, thought that we should have gone to state employees and said, we are not -- and in our budget, we did not underfund the pension plan. We made the \$200 contributions that we are now deferring because we believe if you ask the average state employee are you willing to spend a couple of more dollars on your co-pays for your prescription medication or your doctor visit to guarantee that your pension will be there and the promise will be kept for your pension and your health care, I think the overwhelming majority would say, yes.

And why do I think they would say that? Because if you talk to someone who works in the private sector who has a good health care plan -- I'm not talking about the people who have expensive health care plans, people who don't have health care -- I'm talking about people who have gold-plated, private sector, Fortune 500 company job health care plans. They will tell you when they go see a specialist, they pay \$100 co-pay. We pay 5. When they

cd  
SENATE

365  
May 5, 2010

want to buy their prescription drugs, they may pay 30 or 50 or 100 dollars for 30 days. We pay 5 for 90 days. They will tell you that if they go to a walk-in clinic because they're sick and they can't see their doctor, they will pay \$100 or \$75. We pay 5. And they will say that's not fair. You're not special.

And I think if you made the promise of protecting the pension and health care benefits for retirees by fully funding the health care pension, which we should have done, they would be more than willing to be partners with helping us resolve our budget deficit problems, just as they were in the first round of concessions. But none of that is in this deficit mitigation package.

There were, no doubt, difficult decisions made and I respect those who made them. We made difficult decisions together in the 2010 deficit mitigation package. But if we are going to truly get our State's fiscal house in order, if we are truly going to attack those big budget deficits in the future, we should have taken some of these more bold steps through agency consolidations, privatization, union concessions, a reduction in our workforce through early retirement. All of those steps would have structurally shrunk our budget and put us in a better fiscal place for the years to come.

cd  
SENATE

366  
May 5, 2010

The time has come, Mr. President, to stop putting off our problems to the future. This budget will pass, this deficit mitigation package -- excuse me -- will pass. It will be signed into law. And those of us who are fortunate enough to stand here in January, 2011, and the person who raises their hand and is sworn in as our next governor are going to have huge problems to deal with, huge problems to deal.

There may be a little uptick in our economy, but all of the economists have said it will not nearly be enough to solve your problems, all of them. Getting ten economists to agree on anything is pretty hard, but they all agree that the rate of recovery in Connecticut will not be as it was in the past. And we will not, even if we move in the right direction, recover enough to get out of our fiscal deficits. And even worse, any recovery will in all likelihood be a jobless one. And most of those 100,000 jobs that we've lost are lost forever.

So we believed that rather than say to that next legislature and the next governor, here you go, you got a big mess, deal with it, we could have taken and done a better job of dealing with tomorrow's mess today. And those are the reasons, Mr. President, why we, as Republicans, are disappointed that while we were able to



cd  
SENATE

367  
May 5, 2010

stand united to solve our 2010 deficit miti -- deficit, we're unable to do so in 2011. And I would urge rejection for those reasons.

THE CHAIR:

Thank you, Senator McKinney.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, in speaking in support of the bill as amended, first, would like to begin by complimenting Senator Harp and Senator Daily for their extraordinary hard work and lengthy, lengthy painstaking work in the difficult process that has brought us to this budget resolution bill tonight, and their House counterparts as well, Representative Staples and Geragosian.

Senator McKinney graciously mentioned Senator Williams' role, and I would like to add to that. Once again, our President Pro Temp has kept us moving forward and has provided the momentum that has been necessary in order to -- to get this done. There is often an inertia process, as we know, in difficult decision making, but he has always been clear-eyed in keeping moving forward and that has been a significant mark of his -- of his leadership.

The content of the bill, Mr. President, we must note that it is part of a process that goes back to February of 2009, when the original deficit estimate that we had as a General Assembly was an 8 and a half billion dollar deficit for the Fiscal Years '10 and '11. Part of our difficulty in our -- in coming to a resolution with that was that even that basic number could not be agreed to. We had a difficulty with the administration that was not resolved until the passage over the Governor's veto of the consensus budgeting bill that finally then lead to an agreement on the nature and scope of the deficit finally leading to the resolution that became law in September when the General Assembly passed the budget that that then became law.

Again, the recession continued so that we continue to have a shortfall projected for '10 -- Fiscal '10 and for '11. Last -- in April -- or we began the -- this year's session in February of 2010, looking at a projected \$504 million deficit for Fiscal '10 and a deficit of more than 700 million for Fiscal '11. And the deficit mitigation package in April addressed that deficit for Fiscal 2010. And now we try to close the -- the pieces for Fiscal '11 with what we propose to do here this evening.

cd  
SENATE

369  
May 5, 2010

Again, there were painful cuts in this budget. They -- a reduction of about 300 million in proposed borrowing from the level that was projected nec -- as necessary earlier, a reduction in the term of that borrowing from ten years to eight. We've been assisted by an uptick in anticipated revenue and by continuing expectation of federal stimulus funds. So it has -- the pieces have come together in this painful process involving difficult decisions of -- of scaling back commitments and expenditures that we -- in many cases, believed and continued to be -- believe are very important, but it is necessary to -- to close this issue by passing this bill this evening.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Looney.

Senator Williams.

SENATOR WILLIAMS:

Thank you, Mr. President.

I rise to support this bill. First and foremost, to thank Toni Harp, the chair of Appropriations, Eileen Daily, the chair of Finance, for their extremely hard work and dedication to getting us out of the fiscal crisis the State of Connecticut has faced for the past

cd  
SENATE

370  
May 5, 2010

two years. Also to our Majority Leader, Senator Marty Looney, who has been there at the leadership meetings, fighting, again, to get us out of the fiscal morass and move this State forward.

It's never easy to solve these problems in tough times. In the good times when we have surpluses, we can fund programs, education, take care of the needs of children and seniors, not increase taxes, not cut critical services in programs. That's possible in the good times. In the hard times, the times that we face in Connecticut and all across this country with the economic downturn that we are in right now, we have to step up and make tough choices, and that's what we've done over the last two years.

You wonder why we are where we are right now in the second year of the biennial budget with this deficit? Just want to remind folks, last year, we did pass as a legislature a democratic budget. It did have significant cuts. It also was balanced in terms of taxes and revenue. It was not a popular concept with my good friends on the other side of the aisle or the Governor. However, it was an approach that was followed in the previous two economic downturns, 2002 and 1991. And in

cd  
SENATE

371  
May 5, 2010

those two downturns, a Republican governor, John Rowland, signed a budget that did take a balanced approach in terms of revenue and budget cuts. And a Republican Independent governor, Lowell Weicker, in 1991, did the same thing.

If that democratic budget that we passed last year had been signed into law, there would have been pain on the cut side, make no mistake about that. There would have been equity on the revenue side in terms of bolstering the resources of the state. There would be no deficit for 2011, no deficit. There would have been no securitization of \$1.3 billion, none. There would be no borrowing, no borrowing for the State of Connecticut if the democratic budget last year had become law. The reason we are here is because we could not make that budget become law. And the reason we are here is because our good colleagues on the other side of the aisle, rather than have a more equitable approach in terms of revenue and cuts, said, you know what, let's borrow more because borrowing, frankly, was part of the equation in 2002 and 1991, the previous downturns, but we did less borrowing back then because it was a more balanced approach in terms of cuts and revenue.

cd  
SENATE

372  
May 5, 2010

But we were told let's do more this time around, and that's what had to happen in order for an agreement to come together where you had disagreeing sides, a Democratic legislature and a Republican governor. And I respect that, that's our process.

So now here we are trying to make the best of a bad situation. And what we've done is taking -- we've taken that commitment to bond -- to securitize \$1.3 billion, and we've, first of all, eliminated the securitization. At the Governor's request -- suggestion, she put forth a plan that said, let's not securitize, let's have economic recovery notes. And working with the Governor, we were able to eliminate \$300 million of that borrowing. That was important. We were able to cut the term of the borrowing from ten years to eight years. That's important. That saves money.

For example, in 2002, we borrowed as well. As a matter of fact, the legislature and the Governor at that time approved taking far more from the Energy Funds than we're proposing today of about 35 percent. But what happened back then was that, as the economy improved -- improved, we did not take from those funds as planned. We paid off those notes early, and that's certainly going

cd  
SENATE

373  
May 5, 2010

be the intention I suspect with bipartisan support as we go forward in the future.

So we are making the best of a bad economic situation here in Connecticut and other folks in other legislatures across the country. I think it's important to remember, as I have described, how we got here and the choices that were made on both sides of the aisle in terms of our current fiscal position.

So just to stress in terms of the other aspects of this budget package, there are no cuts in municipal or aid to cities and towns that would increase the property taxes at the local level, very important to our struggling cities and towns. There are no tax increases, important to our businesses and to our families. There are cuts in spending, absolutely right. And they will be felt around this state, but wherever possible, we have tried to make sure that we have not shredded the safety net, that we have maintained the critical programs necessary for the State to function, for folks to be able to do their jobs across the State of Connecticut and to preserve our ability to rebound economically in this state as we move forward. So it's not pretty.

States across the country are grappling with the same problems. The pundits at the beginning of this

cd  
SENATE

374  
May 5, 2010

session predicted we would be able to do nothing, that there would be partisan gridlock in Hartford, the 2010 deficit would not be resolved, let alone the 2011 deficit. Folks were saying Hartford's broken. What happened? We came together in a bipartisan way, not only with the Governor but my good Republican colleagues in this chamber and downstairs also joined with the Democrats, and we had a bipartisan solution that eliminated the 2010 deficit.

What's happening today is by reaching out and working with our good friend Republican Governor Rell, we have put together a solution that eliminates the deficit for 2011. Again, proving the pundits wrong, rolling up our sleeves in these tough times and making very tough choices, knowing that in the future our work is not done. Senator McKinney's right. There's more to do, and we're prepared to do it. But today we got the job -- the job done for 2011. And when this passes in the House and is signed by the Governor, we'll be able to leave this legislature having met the challenge of the biennial budget. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Williams.



cd  
SENATE

375  
May 5, 2010

Mr. Clerk, will you please announce the pendency of roll call vote in the bill. The machine will be opened.

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:

If all the members voted? If all the members voted, if so, the machine will be locked.

Mr. Clerk, please call the tally.

THE CLERK:

Motion is on passage of Emergency Certified Bill

494.

Total Number Voting	35
Those Voting Yea	19
Those Voting Nay	16
Those absent and not voting	1

THE CHAIR:

Bill, as amended, passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

cd  
SENATE

376  
May 5, 2010

Mr. President, I move for immediate transmittal to the House of Representatives of the Emergency Certified Senate Bill 494.

THE CHAIR:

Seeing no objection, so order.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, for a point of personal privilege.

THE CHAIR:

Please proceed, sir.

SENATOR LOONEY:

Yes, thank you, Mr. President.

THE CHAIR:

Just a minute, Senator Looney.

If the chamber will please come to order. Give Senator Looney the courtesy of your attention.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, last week a distinguished resident of -- of Norwalk, Dr. Joseph Makovich, a constituent of Senator Duff's passed away. He had been a dentist practicing in Wilton, living in Norwalk, lived in Norwalk all his life, had a 40-year practice in the Town of

cd  
SENATE

377  
May 5, 2010

Wilton. He was also a very distinguished member of his -  
- of his community, raised four wonderful children with  
his wife Jean. All of whom are successful in their own  
careers. And he has six wonderful grandchildren.

In addition, he was a loving uncle to his nieces,  
including my wife Ellen, and her sister Maryann, who lost  
their own father at an early age. Dr. Makovich was  
active in Catholic charities in Fairfield County for St.  
Jerome's Parish, Central Catholic High School.

He was a man with an active mind and a great sense  
of involvement in the world around him. He was an active  
flyer of model airplanes and he was a holder of two  
United States patents. A man who spent this entire life  
in building up the fabric of his community.

So, Mr. President, would -- just ask for a brief  
moment of silence in the loss of this highly effective  
and significant contributor to our society.

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

THE CHAIR:

Would members please rise and observe a moment of  
silence?

Resolution's adopted.

Thank you, sir.

SENATOR LOONEY:

cd  
SENATE

378  
May 5, 2010

Thank you, Mr. President.

Mr. President, returning to our calendar, we -- first of all, I believe we have Senate Agenda Number -- Number 4 in our possession. I wanted to inquire of the Clerk whether we need to adopt Senate Agenda 3, as well as 4.

THE CLERK:

Mr. President, Senate Agendas 1, 2 and 3 have already been adopted. Clerk is in possession of Senate Agenda Number 4, dated Wednesday, May 5, 2010. Copies have been distributed.

SENATOR LOONEY:

Mr. President -- Mr. President, I would move all items on Senate Agenda Number 4, dated Wednesday, May 5, 2010, to be acted upon as indicated that the agenda be incorporated by reference into the Senate journal and the Senate transcript.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Would also move that all items in Senate Agenda 4 be immediately placed on our calendar.

THE CHAIR:

cd  
SENATE

379  
May 5, 2010

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, would ask the Clerk to call as the next item of business calendar page 7, Calendar 427, Senate Bill 110.

THE CHAIR:

Mr. Clerk:

THE CLERK:

Calling from Senate calendar from Wednesday, May 5, 2010, favorable reports, calendar page 7, Calendar 427, File Number 597, Senate Bill 110, AN ACT ELIMINATING THE SUNSET FOR CERTAIN TAX INCREMENTAL FINANCING PROGRAMS, favorable report on Committees on Commerce and Export, and Finance, Revenue and Bonding.

THE CHAIR:

Senator LeBeau.

SENATOR LEBEAU:

Good evening, Mr. President.

THE CHAIR:

Good evening.

SENATOR LEBEAU:

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

cd  
SENATE

380  
May 5, 2010

THE CHAIR:

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

SENATOR LEBEAU:

Yes, I would, Mr. President.

The Clerk has an amendment LCO Number 5544. May he call it, and may I be allowed to summarize?

THE CHAIR:

Mr. Clerk, please call LCO 5544 to be designate Senate "A."

THE CLERK:

LCO 5544 which has been designated Senate Amendment Schedule "A." It's offered by Senator LeBeau of the 3rd District, et al.

THE CHAIR:

Senator LeBeau.

SENATOR LEBEAU:

I move passage, Mr. President.

THE CHAIR:

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

Senator LeBeau.

SENATOR LEBEAU:

cd  
SENATE

381  
May 5, 2010

Very briefly, Mr. President. Last week when we passed our jobs bill, the roundtable bill, which passed this chamber unanimously, there was a -- in one section of the bill, we had given incentives, tax credits to help those -- those with disabilities. But in doing so, we mistakenly left off people who were blind and it would work with BESB, BESB, of the Services for the Blind. This amendment takes care of that omission.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate "A"?

Senator Looney.

SENATOR LOONEY:

Thank you. Thank you, Mr. President.

Speaking in support of the amendment wanted to thank Senator LeBeau for offering this amendment. And, obviously, in the bill that was passed last week, there was an identification of -- of credits for hiring those who were referred through the Bureau of Rehabilitation Services. There is a separate statute that -- that references BESB, Board of Education Services for the Blind. And we also wanted to make sure that participants in those programs had the same access for job development credits.

cd  
SENATE

382  
May 5, 2010

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Do you care to remark further on Senate "A"? Care to remark further? If not, the Chair will try your minds. The item before the chamber is Senate Amendment Schedule "A."

All in favor please indicate by saying aye.

SENATORS:

Aye.

THE CHAIR:

All opposed say nay.

The ayes have it.

Senate "A" is adopted.

Will you remark further on the bill as amended?

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I would move that calendar page 7, Calendar 427, Senate Bill 110, as amended, be placed on the consent calendar if there is no objection.

THE CHAIR:

Is there objection? Is there objection? Seeing no objection, that item is placed on our consent calendar.



cd  
SENATE

383  
May 5, 2010

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, if as the next item of business, would as the Clerk to call calendar page 7, Calendar 388, Senate Bill 376.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calendar page 7, Calendar Number 388, File Number 538, Substitute for Senate Bill 376, AN CONCERNING STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS, favorable report on the Committee on Education and Finance, Revenue and Bonding.

THE CHAIR:

Senator Gaffey.

SENATOR GAFFEY:

Thank you, Mr. President.

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

THE CHAIR:

Question before the chamber is acceptance and passage.

Do you care to remark further?

SENATOR GAFFEY:

cd  
SENATE

384  
May 5, 2010

Yes, Mr. President, thank you.

The Clerk is in possession of an amendment LCO Number 5734. If the Clerk would please call the amendment, I'd be granted leave of the chamber to summarize.

THE CHAIR:

Mr. Clerk, would you please call LCO 5734 to be designated Senate "A"?

THE CLERK:

LCO 5734 which has been designated Senate Amendment Schedule "A." It's offered by Senator Gaffey of the 13th District.

THE CHAIR:

Senator Gaffey.

SENATOR GAFFEY:

I move adoption.

THE CHAIR:

Question before the chamber is adoption of Senate "A"? Will you remark further?

SENATOR GAFFEY:

Yes, Mr. President.

Mr. President, this is -- the amendment becomes the bill. It is the annual school construction grant priority list. It includes a couple more projects than

cd  
SENATE

385  
May 5, 2010

what passed out of both the Education Committee and the Finance Committee, and I would urge the chamber to support the bill, Mr. President.

THE CHAIR:

Thank you, Senator.

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

Senator Fasano.

SENATOR FASANO:

Mr. President, just stand at ease for a minute, please.

THE CHAIR:

Chamber, please stand at ease.

(Chamber at ease.)

THE CHAIR:

Senate, please be in order.

Senator Gaffey.

SENATOR GAFFEY:

Yes, Mr. President. We are going to just pass this bill tempor -- temporarily as we await the arrival of one additional amendment, Mr. President.

THE CHAIR:

Without objection, so ordered.

Senator Looney.

cd  
SENATE

386  
May 5, 2010

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, for some additional items to add to the consent calendar at this time. Yes, Mr. President, the first item for the consent calendar to add at this point is calendar page 6, Calendar 334, Senate Bill 431. Mr. President, we move to place that item on the consent calendar.

THE CHAIR:

Senator Looney, do you mean Calendar 344?

SENATOR LOONEY:

Calendar 3 -- I have 334. Is it -- it is calendar page 6, Senate Bill Number 431.

THE CHAIR:

Okay. That's calendar 344, Senator.

SENATOR LOONEY:

Okay, that's -- now that -- 344, then, Mr. President, that is the item, Calendar 344, Senate Bill 431. Move to place that item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

cd  
SENATE

387  
May 5, 2010

Mr. President, calendar page 7, Calendar 430, Senate  
Bill 432, move to place that item on the consent  
calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, moving to calendar page 24, Calendar  
108, Senate Bill 321. Mr. President, move to place that  
item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 25, Calendar 118, Senate Bill 176.  
Mr. President, move to place that item on the consent  
calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Moving to calendar page 30, Mr. President, calendar  
page 30, Calendar 274, Senate Bill 305. Mr.

cd  
SENATE

388  
May 5, 2010

President, move to place that item on the consent  
calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 32, Calendar 337, Senate Bill 433.

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

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Continuing, calendar page 33, Calendar 424, Senate

Bill 444, Mr. President, move to place this item on the  
consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 34, Calendar 149, Senate Bill 244, Mr.

President, move to place this item on the consent  
calendar.

THE CHAIR:

cd  
SENATE

389  
May 5, 2010

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Continuing, calendar page 34, Calendar 191, Senate Bill 407, Mr. President, move to place this item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

And finally, calendar page 34, Calendar 272, Senate Bill 199, Mr. President, move to place that item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, if the Clerk would call the consent calendar at this time.

THE CHAIR:

Mr. Clerk, would you please call the consent calendar and also make your announcement that the Chair has ordered.

cd  
SENATE

390  
May 5, 2010

Mr. Clerk, when you're ready, you may make the announcement that the Senate is in the progress of a roll call vote.

THE CLERK:

The Senate is now voting by roll 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 the first consent calendar begin on calendar page 6, Calendar Number 344, Senate Bill 431.

Calendar page 7, Calendar 427, Senate Bill 110;  
Calendar 430, Substitute for Senate Bill 432.

Calendar page 24, Calendar 108, Substitute for  
Senate Bill 321.

Calendar page 25, Calendar 118, Substitute for  
Senate Bill 176.

Calendar page 30, calendar 274, Substitute for  
Senate Bill 305.

Calendar page 32, Calendar Number 337, Substitute  
for Senate Bill 433.

Calendar page 33, Calendar 424, Substitute for  
Senate Bill 444.



cd  
SENATE

391  
May 5, 2010

Calendar page 34, Calendar 149, Senate Bill 244;  
Calendar 191, Substitute for Senate Bill 405, 407; and  
Calendar 272, Substitute for Senate Bill 199.

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

THE CHAIR:

The machine is opened.

THE CLERK:

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

THE CHAIR:

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

Would the Clerk please announce the tally?

THE CLERK:

Motion's on adoption Consent Calendar Number 1.

Total Number Voting	35
Those Voting Yea	35
Those Voting Nay	0

cd  
SENATE

392  
May 5, 2010

Those absent and not voting 1

THE CHAIR:

Consent Calendar 1 is passed.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, would move for immediate transmittal to the House of Representatives of all items on the consent calendar requiring additional action by the House.

THE CHAIR:

Motion before the chamber is immediate transmittal. Is there objection? Is there objection? Seeing none, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

If we might stand at ease for just a moment.

THE CHAIR:

Chamber may stand at ease.

(Chamber at ease.)

THE CHAIR:

Would the Senate please come to order?

Senator Looney.

SENATOR LOONEY:

cd  
SENATE

393  
May 5, 2010

Yes, Mr. President.

Mr. President, if as the next item of business if we would look to Senate Agenda Number 1, under Disagreeing Actions, Senate Bill -- Substitute Senate Bill 438, AN ACT CONCERNING CHARTER SCHOOLS, as amended by Senate Amendment Schedule "A" and then amended by the House of Representatives by House Amendment Schedule "A." And, Mr. President, would move that that item be called as the next item by the Clerk.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calling from Senate Agenda Number 1, Disagreeing Actions, Substitute for Senate Bill 438, AN ACT CONCERNING CHARTER SCHOOLS, as amended by Senate Amendment Schedule "A" and House Amendment Schedule "A," favorable report of the Committee on Appropriations.

THE CHAIR:

Senator Gaffey.

SENATOR GAFFEY:

Thank you, Mr. President.

I move acceptance of the joint committee's favorable report and passage of the bill in concurrence with the House, sir.

cd  
SENATE

394  
May 5, 2010

THE CHAIR:

On acceptance and passage in concurrence, will you remark further?

SENATOR GAFFEY:

Yes, Mr. President, very briefly. The amendment that was -- or the bill that was merged into the bill we previously approved allows for school governance councils, which will be comprised -- the majority of the members will be parents. They will have governance roles, looking at the budgets, looking at the school plan, being involved in the hiring of administrators. I dare say, Mr. President, that we now have one of the most historic education reform bills that have -- that have been before this General Assembly, and we are poised, not just to compete for Race to the Top dollars, we are poised to win now thanks to this legislation. I urge support.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Will you remark further?

Senator Caligiuri.

SENATOR CALIGIURI:

Thank you very much, Mr. President.

cd  
SENATE

395  
May 5, 2010

Very briefly, unfortunately, for the reasons that I voted against the bill earlier this week, this is really the Race to the Top Bill that a number of us voted against earlier this week. And for the reasons that I voted against it earlier, I will be doing so again this evening.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

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

THE CLERK:

Immediate roll call has been ordered in the Senate.

Will all Senators please return to the chamber.

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

THE CHAIR:

The machine is opened.

Senator Looney.

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

cd  
SENATE

396  
May 5, 2010

Mr. Clerk, may take a tally?

THE CLERK:

Motion's on passage of Senate Bill 438 in  
concurrence.

Total Number Voting	35
Those Voting Yea	31
Those Voting Nay	4
Those absent and not voting	1

THE CHAIR:

The bill has passed in concurrence with the House.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, if the Clerk would call as the next  
item of business, calendar page 31, Calendar 333, Senate  
Bill 270.

THE CLERK:

Calling from calendar page 31, Calendar Number 333,  
File Number 468, Substitute for Senate Bill 270, AN ACT  
CONCERNING THE PROHIBITION OF CERTAIN GIFTS FROM  
PHARMACEUTICAL AND MEDICAL DEVICE MANUFACTURING COMPANIES  
TO HEALTH CARE PROVIDERS, favorable report on Committee  
on Public Health and General Law.

SENATOR LOONEY:

cd  
SENATE

397  
May 5, 2010

Mr. President, thank you.

If that item might be passed temporarily, and if it might we -- might return to --

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

We might then return to calendar page 7, Calendar 388, Senate Bill 376, which was passed temporarily earlier.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Returning to calendar page 7, Calendar Number 388, File Number 538, Substitute for Senate Bill 376, AN ACT CONCERN STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS, favorable report on Committee on Education, Finance, Revenue and Bonding.

When the bill was last before us, LCO 5734 was called and designated Senate Amendment Schedule "A."

THE CHAIR:

The Chair will recognize the gentleman from the lucky 13th District, Senator Gaffey.

SENATOR GAFFEY:

cd  
SENATE

398  
May 5, 2010

Thank you, Mr. President.

THE CHAIR:

You have the floor, sir.

SENATOR GAFFEY:

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

THE CHAIR:

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

SENATOR GAFFEY:

Yes, Mr. President.

Mr. Clerk is in possession of LCO Number 5734.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Mr. President, LCO 5734 was previously called and designated Senate Amendment Schedule "A."

THE CHAIR:

Senator Gaffey.

SENATOR GAFFEY:

I move adoption -- move adoption.

THE CHAIR:

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



cd  
SENATE

399  
May 5, 2010

SENATOR GAFFEY:

It's been previsly -- previously discussed, Mr. President.

THE CHAIR:

Any further remarks on Senate "A"? Any further remarks? If not, the Chair will try your minds.

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

SENATORS:

Aye.

THE CHAIR:

All those opposed say nay.

The ayes have it.

Senate "A" is adopted.

SENATOR GAFFEY:

Mr. President.

THE CHAIR:

Senator Gaffey.

SENATOR GAFFEY:

The Clerk is in possession of LCO Number 5755. If he'd please call the amendment.

THE CHAIR:

Would the Clerk please call LCO 5755 to be designated Senate "B"?

cd  
SENATE

400  
May 5, 2010

THE CLERK:

LCO 5755 designated Senate Amendment Schedule "B."

It's offered by Senator Debicella of the 21st District,  
et al.

THE CHAIR:

Senator Gaffey.

SENATOR GAFFEY:

I move adoption.

THE CHAIR:

Question before the chamber is adoption of Senate  
"B." Do you care to remark further?

SENATOR GAFFEY:

Yes, Mr. President.

This is one project that was inadvertently left off  
the -- the list when we received the prior amendment. I  
urge support.

THE CHAIR:

Are there any further comments on Senate "B"? Any  
further comments? If not, the Chair will try your minds.

All in favor please say aye.

SENATORS:

Aye.

THE CHAIR:

All opposed say nay.

cd  
SENATE

401  
May 5, 2010

The ayes have it.

Senate "B" is adopted.

SENATOR GAFFEY:

Mr. President, if you could have a roll call vote, please.

THE CHAIR:

Mr. Clerk, please announce a roll call vote has been ordered in the Senate.

THE CLERK:

Immediate roll call has been ordered in the Senate.

Will all Senators please return to the chamber?

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

THE CHAIR:

The machine is open.

Senator LeBeau?

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

THE CLERK:

Immediate roll --

THE CHAIR:

The Clerk will read the tally.

cd  
SENATE

402  
May 5, 2010

THE CLERK:

The motion's on passage of the Senate Bill 376, as amended by Senate "A" and "B."

Total number of voting	35
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

THE CHAIR:

The bill, as amended, is passed.

SENATOR LOONEY:

Mr. President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, would move for immediate transmittal to the House of Representatives of calendar page 7, Calendar 388, Senate Bill 376, as amended.

THE CHAIR:

Motion is for immediate transmittal. Is there objection? Is there objection? Seeing none, so ordered.

SENATOR LOONEY:

Yes, thank you, Mr. President.

cd  
SENATE

403  
May 5, 2010

Mr. President, if the Clerk would call as the next item of business calendar page 30, Calendar 271, Senate Bill 428.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calendar page 30, Calendar 271, File Number 379, Substitute for Senate Bill 428, AN ACT CONCERNING REVISIONS TO THE PUBLIC HEALTH-RELATED STATUTES, favorable report of the Committee on Public Health and appropriations.

The Clerk is in possession of amendments.

THE CHAIR:

The Chair recognizes the distinguished gentleman from the 5th District, Senator Belushi.

SENATOR HARRIS:

Through you, Mr. President, that would be Blutarisky.

Thank you, Mr. President, you look good this evening.

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

THE CHAIR:

Question before the chamber is acceptance and passage.

cd  
SENATE

404  
May 5, 2010

Do you care to remark further?

SENATOR HARRIS:

Thank you, I would, Mr. President.

Mr. President, it was a strike-all amendment. The Clerk is in possession of LCO 5727. I ask that it be called, and I be granted permission to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 5727 designated Senate Amendment Schedule "A" is  
offered by Senate Harris of the 5th District.

THE CHAIR:

Senator Harris.

SENATOR HARRIS:

Thank you, Mr. President.

I move adoption.

THE CHAIR:

Request before the chamber is adoption of Senate  
"A"? Will you remark further?

SENATOR HARRIS:

Thank you, Mr. President, I will.

Mr. President, as I said, this is a strike-all amendment. It contains all of the public health revisions that we worked on throughout the public health

cd  
SENATE

405  
May 5, 2010

statutes of revisions. We worked out throughout the session, Mr. President, members of the circle, you might recall that there was an issue involving chiropractors and victims of stroke. We worked diligently to try to work that out. I have to give credit to the leader on the other side of the aisle, Senator Fasano, for all of his hard work in trying to bring a resolution to this issue. But I want to make clear it was not able to happen so we do not have any language in this bill.

But I also want to give credit, in addition to Senator Fasano, to VOCA. They put a lot of very good information on the table and tried diligently to get this matter revolved. We could not do it so we are going to take it in another direction. Senator Fasano and I will continue to work on it -- on this in the summer months and, hopefully, bring this matter to an end.

And, again, I appreciate Senator Fasano's work.

THE CHAIR:

Will you remark further?

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

Just very quickly, I'd like to thank Senator Harris. That is a very difficult aspect of this bill.

cd  
SENATE

406  
May 5, 2010

And I know there's been a lot of talk in this building. I believe we need to do something. I think something will be done. And it is my hope with Senator Harris, as well as Representative Ritter, who indicated that she will work with us, that we can keep reaching towards an agreement, but, in particular, last night, we got out at -- I don't know, like, 12:30, and Senator Harris, myself and the chiropractors, as well as other people interested, stayed here until almost three o'clock in the morning to see if we could bang out a final resolution, and we got really, really close, but rather than putting something out there that, on the last day, can cause this building to implode and risk other bills, I think it's worthwhile to hold back, see if we can work something out. And I appreciate Senator Harris' time and consideration. Thank you, Mr. Chairman.

THE CHAIR:

Thank you, Senator.

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

All in favor, please say aye.

SENATORS:



cd  
SENATE

407  
May 5, 2010

Aye.

THE CHAIR:

All opposed say nay.

Ayes have it. The amendment is adopted.

Senator Harris.

SENATOR HARRIS:

Thank you, Mr. President.

The Clerk is in possession of LCO 5721. I ask that it be called, and I be granted permission to summarize.

THE CHAIR:

Mr. Clerk, please call LCO 5721 to be designated Senate "B."

THE CLERK:

LCO 5721, which will be designated Senate Amendment Schedule "B," is offered by Senator Harris of the 5th District.

THE CHAIR:

Senator Harris, would you please move adoption of the amendment?

SENATOR HARRIS:

I move adoption, Mr. President.

THE CHAIR:

cd  
SENATE

408  
May 5, 2010

Senator Harris has also requested permission to summarize the amendment. Is there objection to summarization?

Seeing none, please proceed, sir.

SENATOR HARRIS:

Thank you, Mr. President.

Mr. President, another important piece of legislation from the Public Health Committee, this year I want to thank Senator DeBicella for his work, not only on the big underlying bill that we just did by amendment, but on this bill also.

If you flash back a decade ago in the pharmaceutical industry, you heard about a lot of excesses: people going out for lavish meals, giving away items of great value, sending people on golf trips to the Bahamas. Thankfully and we should recognize that some of the great companies here in the state of Connecticut have self-policed, self-regulated. They got that under control. They put in place codes, both -- on the pharmaceutical side, the pharma code; and on the manufacturer's side, the device manufacturers, they have a code, also.

Federal health care reform has actually given us certain disclosure requirements that are going to be

cd  
SENATE

409  
May 5, 2010

enforced against these companies. This is a compliance bill. All this says is that if you are a pharmaceutical company, you must have a code at least as strict as the pharma code. If you are a device manufacturer company, then you must have a code that is at least as strict as the code of -- used by those companies and you must certify compliance with that code every year.

Mr. President, I move adoption.

THE CHAIR:

Thank you, sir.

Senator DeBicella.

SENATOR DEBICELLA:

Mr. President, just briefly, in full agreement with Senator Harris, this is a common sense, intelligent compromise between all the parties to make sure that our pharmaceutical companies are behaving ethically and are behaving with the highest standards in their dealings with doctors. I encourage passage of the amendment.

THE CHAIR:

Will you remark further? Will you remark further?  
If not, the Chair will try your minds on Senate "B."

All in favor, please say aye.

SENATORS:

Aye.

cd  
SENATE

410  
May 5, 2010

THE CHAIR:

All opposed say nay.

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

Will you remark further on the bill as amended?

Will you remark further? If not, Mr. Clerk, please announce a roll call vote in progress in the Senate.

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:

The machine is open.

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

Mr. Clerk, you may take a tally.

THE CLERK:

Motion's on passage of Senate Bill 428 as amended by Senate Amendment Schedules "A" and "B."

Total Number Voting	35
Those voting Yea	35
Those voting Nay	0

cd  
SENATE

411  
May 5, 2010

Those absent and not voting 1

THE CHAIR:

Bill, as amended, is passed.

(Senator Duff of the 25th in the Chair.)

THE CHAIR:

Start again -- Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, would move for immediate transmittal  
of the last enacted item to the House of Representatives.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, if the Clerk would call as the next  
item -- first, let me mark two and then we'll get back to  
the first one..

Next item is calendar page 35, Calendar 277,  
Senate Bill 394; to be followed by calendar page 22,  
Calendar 568, House Bill 5455. So if the Clerk would  
call Calendar 277 as the first item.

THE CHAIR:

Mr. Clerk.

THE CLERK:

cd  
SENATE

412  
May 5, 2010

Calendar page 35, Calendar Number 277, File 403,  
Substitute for Senate Bill 394, AN ACT CONCERNING THE  
GOVERNANCE OF THE CONNECTICUT RESOURCE RECOVERY  
AUTHORITY, as amended by Senate Amendment Schedule  
"A" --

THE CHAIR:

Senator --

THE CLERK:

-- a favorable report of the Committee on Planning  
and Development. The House passed with House "A" and  
Senate "A."

THE CHAIR:

Senator Gaffey..

SENATOR GAFFEY:

Thank you, Mr. President. I will be recusing on  
this matter pursuant to Rule 15 and yield to my friend,  
Senator McDonald.

THE CHAIR:

Senator McDonald, do you accept the yield?

SENATOR MCDONALD:

I do, Mr. President, and I, too, recuse myself on  
this matter under Rule 15.

THE CHAIR:

Thank you, Senator.

cd  
SENATE

413  
May 5, 2010

The Senate will stand at ease.

(Chamber at ease.)

THE CHAIR:

Senator Coleman.

SENATOR COLEMAN:

I apologize, 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 in concurrence with the House, will you remark?

SENATOR COLEMAN:

Mr. President, this is a bill that went to the --to the House, was amended in the House. It's back -- I would simply urge passage of the bill as amended by the House, Mr. President.

THE CHAIR:

Thank you, Senator Coleman.

Will you remark? Will you remark further?

Senator Prague.

SENATOR PRAGUE:

Thank you, Mr. President.

cd  
SENATE

414  
May 5, 2010

The House put a structural change on the language that some of the House members wanted. And the amendment makes it very clear that before any trash-to-energy plant -- and it actually refers to CRRA -- can step foot on a piece of property, they have to get a Certificate of Need from the Department of Environmental Protection indicating that there is a need in the area; that there are no other facilities around that they could use. It's an important change in the amendment, and I urge adoption.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark further on House -- Senate Bill 394? If not, Mr. Clerk, please call.

THE CLERK:

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

THE CHAIR:

Senator Fonfara?



cd  
SENATE

415  
May 5, 2010

Have all members voted? If all members have voted, the Clerk -- please check your board and make sure you voted correctly.

Mr. Clerk.

THE CLERK:

Motion's on passage of the Senate Bill 394 in concurrence with the action in the House.

Total Number Voting 32

Those voting Yea 32

Those voting Nay 0

Those absent and not voting 4

THE CHAIR:

Senate Bill 394 passed in concurrence with the House.

Mr. Clerk --

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I believe that the item next marked is ready for action. I believe it is single starred. I'd asked for a suspension to take up calendar page 22, Calendar 568, House Bill 5455.

Mr. Clerk -- is there any objection? Seeing no objection, Mr. Clerk.

cd  
SENATE

416  
May 5, 2010

SENATOR LOONEY:

Thank you, Mr. President.

THE CLERK:

Calendar page 22, Calendar Number 568, File Number  
283, Substitute for House Bill 5455, AN ACT  
CONCERNING THE MASTER TRANSPORTATION PLAN, THE  
TRANSPORTATION FACILITIES ASSESSMENT REPORT, THE  
CONNECTICUT PILOT COMMISSION AND THE CONNECTICUT  
MARITIME COMMISSION, favorable report of the committees  
on Transportation and Appropriations. The House passed  
with House Amendment Schedule "A."

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 in  
concurrence with the House.

THE CHAIR:

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

SENATOR DEFRONZO:

Thank you, Mr. President.

cd  
SENATE

417  
May 5, 2010

Mr. President, I this the DOT agency bill with a few additions. I'll take just a moment to summarize some of the major provisions.

The bill modifies the scope of the Department of Transportation's Master Plan process, makes certain previously mandated criteria, now optional for the commissioner, and makes some additional timing changes.

The bill eliminates reimbursements for members of the Connecticut Pilot Commission and the Connecticut Maritime Commission. The bill requires a study of the efficiency of the State Traffic Commission, requires state and local traffic authorities to ensure that any new crosswalks shall be appropriately signed with appropriate markings and control signal devices to ensure safety for pedestrians.

And the bill also requires that previously authorized bonds for the construction of a parking garage in the City of Stamford be used for the state-owned parking facility in that city.

And that about does it, Mr. President. I ask passage of the bill.

THE CHAIR:

Thank you, Senator.

Will you remark? Will you remark further?

cd  
SENATE

418  
May 5, 2010

Will you remark further? If not, Mr. Clerk,  
please call -- announce --

THE CLERK:

The 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 return to the chamber.

THE CHAIR:

Senator Gomes?

Senator Musto? Senator Musto?

Have all members voted? If all members voted,  
please check the machine to make sure your vote has been  
accurately recorded. If all members have voted,  
Mr. Clerk, please take a tally.

THE CLERK:

Motion on -- is on passage of House Bill 5455 in  
concurrence with the action of the House.

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

THE CHAIR:

The bill is passed.

Senator Looney.

cd  
SENATE

419  
May 5, 2010

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, as the next two items to mark the first is calendar page 11, Calendar 489, House Bill 5360; and the next bill after that is calendar page 14, Calendar 512, House Bill 5248.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calendar page 11, Calendar Number 489, Files Number 324 and 663, Substitute for House Bill 5360 AN ACT CONCERNING CHILDREN IN THE RECESSION, as amended by House Amendment Schedule "A," favorable report of the committees on Children, Human Services and Appropriations.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Thank you, Mr. President.

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

THE CHAIR:

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

cd  
SENATE

420  
May 5, 2010

SENATOR MUSTO:

Yes, Mr. President, thank you.

Members of the chamber, Mr. President, this does a great many things during this difficult time that we are having a recession in the state of Connecticut and across the country.

When the unemployment rate hits 8 percent, for example, it kicks in a provision in the Child Poverty and Prevention Council, which we are making the lead agency for children in the recession in this matter.

That committee is going to be meeting more often while we have a recession. The Council's going to work with various departments around the state and in government to try to do a myriad of things.

The bill was created by the Speaker's task force that went around the state into each congressional district and held meetings. We listened to the residents of the state of Connecticut. The people came to us with their concerns: what's going on in the state of Connecticut, how the recession is affecting them, and, most importantly, how the recession is affecting their children.

But we all know that the children are affected by the recession, most importantly -- or most strongly when

cd  
SENATE

421  
May 5, 2010

their parents are. So there are many provisions in this bill, as well, that relates to the family services that could be provided. Temporary assistance for needing families is increased. Food programs for the children that are affected by the recession are increased.

This bill gives us more federal dollars for things, like, school lunch programs, school breakfast programs, and food programs. This bill allows under certain circumstances for more money to come in from the federal government for temporary assistance for needy families. It provides that someone who is trying to make -- get an education during the time of recession when they cannot otherwise find a job that that education experience will be treated as work under certain federal programs so we'll get even more money from the federal government.

Another thing this bill does that I think is very important is that it's -- excuse me -- it starts the no-wrong-door policy of the state of Connecticut. It allows people who are applying for assistance, applying through DSS to go to any place in DSS and other agencies and if those agencies will coordinate those programs so that people will not be left out of programs they're otherwise eligible for. Other federal monies will follow in that

cd  
SENATE

422  
May 5, 2010

respect, as well, and it will make our state services provided to our citizens stronger.

These are critically important things in this time of recession, Mr. President. It brings in federal money and that provision, the no-wrong-door provision, when Florida implemented it, for example, they saved \$88 million. And their error rates on these applications went down because there were fewer data entry errors. Lower error rates, more federal money and state's savings, these are things, I think, we can all get behind in this bill.

And I want to compliment the Department of Social Services for working in this bill with the legislature. We found out, also, when we were going around the state that many of the things that we're trying to get at in this bill that the legislature thinks are so important, DSS has already started doing, but they've been not able to implement for whatever reason. DSS will be implement these programs.

And we've worked with DSS and with OPM to make sure that this bill is appropriate for the State of Connecticut and its citizens. I think the policy that DSS has annunciated and in this bill that the legislature has annunciated is, well, consistent with each other,



cd  
SENATE

423  
May 5, 2010

perhaps, even coterminous, and that this bill should be passed by this legislature.

Thank you very much.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Prague.

SENATOR PRAGUE:

Thank you very much, Mr. President.

I just want to comment on a bill that's so critically important to our children and to the future of this state and, frankly, to our country. After all, it's our children who are going to follow in our footsteps. And the way children develop, as children, will be significant in their development as adults.

I remember years ago when I was teaching school, we used to provide school breakfasts for kids because even then it is was the sincere believe that when children have a full stomach, they do better in school, they learn better, they feel better about themselves, and I think this is one of the most important pieces of legislation that's come before this chamber. Thank you.

THE CHAIR:

Thank you, Senator.

Senator Boucher.

SENATOR BOUCHER:

Good evening, Mr. President.

Here we are on the last evening of this session, which is supposed to be the short session, although it may feel like it's longer than usual this evening. And we have before us a very ambitious, very comprehensive bill that tries to do many, many, many laudable things.

However, I have to say in reading through this bill, it raises a lot of questions. Particularly, the number -- the amount of -- within available appropriation segments that I believe go a long way to weakening this bill considerably and really do not allow for it to really realize the goals that it was stated to have.

And just to -- because it's such a far reaching comprehensive bill, I would like to go over some of the sections and ask some questions of the proponent of the bill, my good friend and very distinguished chair of the Children's Committee.

First of all, I might add that I understand that many of the agencies that were included in this bill, -- and there were quite a few, the Department of Children and Families, the Department of Social Services, Department of Education, even the judiciary, and other

cd  
SENATE

425  
May 5, 2010

organizations and departments that -- that really govern the many, many different programs that we have to cover the issues explained here.

And we might add, at the beginning, that Connecticut is indeed a very, very compassionate state. It does a lot to help its families and children. And now they we have been or in a recession for a substantial period of time, you can see why a subject, like this, was brought forward.

In the very first section, Section 1, that describes the Child Poverty and Prevention Council that was established previously, which would constitute the children recession leadership team, would make recommendations to the State's emergency response to children that are affected by the recession.

And, at the very start of this, it raises a question that has troubled me, I believe when we were looking at the language of this, and that is to define really how we would consider who would be identified as children being affected by the recession. And, in fact, that would be something, I think, right off the very bat if that has -- some thought has been given by that who would these children be, how would we identify them, what would be the parameters that would help us to reach out to these

cd  
SENATE

426  
May 5, 2010

children, and, through you, Mr. President, may I ask our distinguished chair, if he can give us a sort of an example or that category of identified children that would be targeted by this very large and comprehensive legislation. Through you, Mr. President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Thank you, Mr. President.

Through you, children in the recession are the children we anticipate will be falling into recession -- excuse me -- into poverty as a result of the recession. It was estimated, when we started this program, the task force invited some experts out and I know sometimes we here experts were invited out and we're not quite sure where they're from and whatnot and, frankly, at this hour, at this time, I'm having a little trouble remembering myself, but I know that you were there and I know that -- that you heard the same testimony I did.

It's estimated that, approximately, 35,000 children in the State of Connecticut alone will fall into poverty as a result of the recession, as a result of their families losing jobs, either one income or both incomes, parents going back to work at lower waged jobs or -- or

cd  
SENATE

427  
May 5, 2010

at a fraction of their former salaries, children who are going to be displaced from their homes as a result of foreclosures because their parents can no longer make the mortgages. Children who are going to -- not only be displaced from their homes, but suffer homelessness and be admitted to shelters, and we did some work here, again, with you in the Children's Committee regarding children who cannot go to shelters because they're the wrong age or the wrong gender and, therefore, end up on their friend's couches or on the streets or in adult shelters, which may sometimes be worse.

We've talked some about homeless children where the schools -- and you mentioned in your comments, too, and I think it was -- it was insightful that there are many agencies that deal with these children, and one of them is public schools. And we heard a great deal of testimony about children who go to public school, and their teachers or their principals realize that they're homeless. They're having trouble coming to school. They're coming to school with dirty clothes. They're unshowered, unfed. And they find out that the children are homeless. The families are homeless. But the boards of education -- it's not their job. They're not quite sure what to do about it.

cd  
SENATE

428  
May 5, 2010

And some of the other agencies that are listed here in this bill -- the Department of Education is just one; they need to coordinate with DSS. They need to coordinate with DCF. They need to look at a comprehensive response to this and that's what we're trying to do with this.

The types of children who we're talking about here are children that we're already seeing every day, but we expect they'll be more of them. And, for that reason, this is not only, again -- and I do share your concerns about the lack of funding. I think we've just had conversations tonight and for the rest of this session about funding problems, but we're trying to establish a policy. We're trying to do what we can in these times to, at least, focus our energies where they're most appropriate, to coordinate, to break down our silos, and, hopefully, again, to garner some more federal money and to make some cost savings through this consolidation, through you, Mr. President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

cd  
SENATE

429  
May 5, 2010

Yes, thank you, Mr. President. And I really appreciate the answers by my chair of the Children's Committee.

I'm still having a difficult time trying to ascertain how we would identify these children. Would they come forward voluntarily? Would their parents bring them to our state agencies? Would there be an outreach in the various agencies to find these children and, particularly, the question arises since we have put a parameter in the first section of this bill that -- that seeks to say that this would only go into affect -- in other words, we would only be dealing with these children if they -- if our unemployment rate was greater -- or is 8 percent or greater for the preceding three months.

In doing that, I think we would be limiting the population. Not only would we be limiting the children that we would be serving, but it would also be for a -- a variable period of time because that 8 percent -- and I do have a further question on this, I think I've asked this before and still am concerned about getting an answer that -- that makes sense to me, and that why is the 8 percent unemployment the number that was achieved? Is there a body of evidence to show that that is the threshold where if you reach that or above it that we

cd  
SENATE

430  
May 5, 2010

will produce a certain number of children that would need to be served because we should know what we're dealing with. We can't be functioning in an area where we don't have a sense of how much in state resources would be required by so many various agencies of the state.

As I said, this is a very, very ambitious bill and it would be extremely important to know just what we're dealing with. And through you, Mr. President, could I please ask how and why the 8 percent number was achieved? Why is it not 6 or 7 percent, or 9, 10 percent, as some economists might point to, through you, Mr. President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Thank you, Mr. President.

And I do thank Senator Boucher for the question because there was some concern about this when we brought this bill out.

There are -- there are really two answers. The first is that the 6 percent number has to do with the amount of unemployment at which certain federal benefits kick in. And so we took that 8 percent number in large part from the federal government and from their programs.



cd  
SENATE

431  
May 5, 2010

The second thing we did, through my cochair Diana Urban and her research with other economists, was to look at what really is the definition of a recession and what are some indicators of a recession. And one of the indicators was 8 percent unemployment. Now, maybe 7.9, maybe 8.1, I mean, obviously, we've all heard the expression, you know, economists say on one hand and on the other hand, but 8 percent seemed a reasonable number. We did take it somewhat from the federal government, and we did do our own investigation and determined that that was one of the indicators that would indicate a recession. Through you, Mr. President.

Actually, Mr. President, before I finish that, I do want to compliment my ranking member, Senator Boucher. We have worked very well together on this and other bills, and although this one might not go unanimously, it will be the first one of mine that didn't. I'm going to give it a shot.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Mr. President, I-- I do thank my colleague for those very kind words, and I would say that the feeling is mutual. It was a very collaborative experience, not

cd  
SENATE

432  
May 5, 2010

only with my chairs and ranking members, but also with the wonderful staff of the Children's Committee, and I thank him for his answers.

I know a lot of work went into this. A lot of agencies were consulted, and they did work to make this language a little bit better, although I think there is still a great deal of concern on the part of OPM and others because of the very ambitious areas of this. And I'm not going to prolong the discussion of this this evening. But I do need to point out that there are nearly 13 sections in this very ambitious bill that all state that they should be pursued within available appropriations.

It brings me a great deal of concern because when you have they many sections -- in fact, the vast majority of the sections are all within available appropriations. I had a lot of concern, and I actually was thinking very seriously about proposing amendments to strike those sections out because, in fact, if we cannot support this with funding in this budgetary, then we're not really serious about pursuing this, it -- it doesn't belong here. It's not the way we should be bills.

Although I think the message we're sending is excellent, we are concerned about our children. And I

cd  
SENATE

433  
May 5, 2010

will tell you that I do commend those individuals. I do -- I do commend the individuals that worked hard to bring this -- this particular bill out, and I -- I will leave the discussion open to others should they have any further questions. Thank you, Mr. President.

(The President in the Chair.)

THE CHAIR:

Thank you, Senator Boucher.

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

Senator Musto.

SENATOR MUSTO:

Thank you, Mr. President.

As I said before, I do want to take this opportunity, we did work very hard with DSS on this and to all the good work that they did in the Commission on Children.

This is a comprehensive bill, as Senator Boucher's pointed out. It does a great many things. And I hope it does them all well. And I hope it does them all in a reasoned way. And so I would urge passage of this -- of this bill.

THE CHAIR:

Thank you, sir.

cd  
SENATE

434  
May 5, 2010

Will you remark further on the bill?

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

If I can, to the proponent of the bill, when this  
was --

THE CHAIR:

Senator Musto.

SENATOR FASANO:

Thank you.

THE CHAIR:

You're welcome.

SENATOR FASANO:

When this bill was put together in the committees and the public hearings, what type of input and from who did you receive input for or from, and I know this takes a lot of collaborative efforts and I'm just sort of -- to understand the bill a little bit better, if you could just elaborate on what type of people got together, what type of groups were consulted when you created this bill? Through you, Mr. President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

cd  
SENATE

435  
May 5, 2010

Thank you, Mr. President, and through you.

A very good question, I'm sorry I did not address it in the first place.

The hearings we had all around the state were bringing people who were affected by poverty to the table and, not only people who were affected by poverty, but those who dealt with people affected by poverty. We had representatives from DSS testify just on their own behalf who would come to the meetings -- the meeting I was at, my friend Senator Gomes was there. The Speaker of the House was there. There were other members of both Congress. We had Congressman Himes come in the 4th Congressional District, as well as state leaders.

And the people who showed up were, as I said we had DSS workers show up and give us their experiences, not their positions, not DSS's position, but their experiences as workers. We had people who had lost jobs or whose spouses had lost jobs who were being foreclosed on, who were facing -- having to make decisions about what bills to pay, when to pay them, or if -- whether to pay them at all.

We had some children testify. Just about -- obviously, with some -- with some assistance from their parents but just about some of the things that they were

cd  
SENATE

436  
May 5, 2010

going through, having going to school, whether they were getting school lunches, whether they were getting breakfasts, whether they were having food sent home with them in their back packs.

We had people come and testify about other issues sort of ancillary to that, people talking about people turning to drugs or alcohol due to their despair, due to the poverty. And people -- actually, some advocates coming and saying people were committing crimes, crimes, where one of theft was going up, for example, because people were out of work and people were trying to get food, and people were trying to pay their bills. So we had -- and, actually, again, I almost forgot certain people who said they were considering turning to drugs or alcohol because that was the only way they could get certain programs was by claiming that they were on drugs or addicted to alcohol.

We had a great many people come and tell us their stories. And it was just like any other public hearings any of us have been to around here in the past. We took those considerations into account and we drafted this bill. Through you, Mr. President.

THE CHAIR:

Senator Fasano, you -- (inaudible) -- you ready?

cd  
SENATE

437  
May 5, 2010

SENATOR FASANO:

Thank you, Mr. President.

I appreciate Senator Musto's answers to my question. And I think that it is very difficult to get the folks that you brought to the table. And I think each one plays a different role, and I think it is shown in the assembly of the bill.

Thank you very much, Mr. President.

THE CHAIR:

Thank you, sir.

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

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

THE CHAIR:

Senator Musto.

SENATOR RORABACK:

Thank you, Mr. President.

Through you to Senator Musto, I was wondering if Senator Musto had an opportunity to review the fiscal note that's been prepared in connection with the bill, as amended, through you, Mr. President, to Senator Musto.

THE CHAIR:

cd  
SENATE

438  
May 5, 2010

Senator Musto.

SENATOR MUSTO:

Through you, Mr. President, yes.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

And, Mr. President, directing Senator Musto's attention to the first paragraph of the fiscal note, this bill -- I'm very happy to see this bill before us and one of the difficulties of the phenomenon we face as a state is that, as our capacity to meet needs diminishes, the needs of the people of our state increase. And I think this bill is a good example of the dilemma we face.

Through you, Mr. President, to Senator Musto, the fiscal note -- the first paragraph of the fiscal note says the bill is anticipated to result in various impacts described below. Under the bill, these provisions are to be implemented within available appropriations and, therefore, will result in one of four outcomes.

Through you, Mr. President, to Senator Musto, which of the four outcomes that the Office of Fiscal Analysis predicts are possible, does he hope will occur, through you, Mr. President, to Senator Musto, if he has an opinion.



cd  
SENATE

439  
May 5, 2010

THE CHAIR:

Senator Musto -- excuse me, yes, Senator Roraback.

SENATOR RORABACK:

And if I may, Mr. President, I'd like, I think for the benefit of the people that don't have the fiscal note in front of them. The four outcomes that OFA says are possible is: One, the agencies will proceed to do what they're told and spend money they're not supposed to spend and then come back to the legislature and ask for the money; two, the agencies will wait until they get money before they do any of the things the bill asks them to do; three, the agencies will take money from other things they're supposed to be doing and direct it to these responsibilities; or, four, the agencies won't be able to do what the bill asks them to do.

So none -- and I'm -- I'm not meaning to be difficult, Mr. President, I'm just wishing to identify how hard it is in a time of shrinking resources to find the wherewithal to meet growing needs.

So, through you, Mr. President, to Senator Musto, and it's not a trick question. I just wonder and maybe the answer is a mix and match as to different sections of the bill. Section A, I'll take Outcome 1. Section B, I'll take Outcome 4. So through you, Mr. President, to

cd  
SENATE

440  
May 5, 2010

Senator Musto, I just welcome his thoughts on -- on that question. Thank you.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Thank you, Mr. President.

In answer to the question, I think it is the latter. I think we are going to require certain things be done from all four of those categories. There may be some things in this bill that the agencies cannot implement. That's an unfortunate reality as Senator Boucher and I discussed a moment ago. We are at a crossroads in this state. We are lacking funds and there may be some things that the departments just cannot do.

Certainly, there should be some coordination with the departments. Certainly, those things that bring in federal monies should be accomplished. Certainly, the no-wrong-door provisions that, hopefully, will save money and reduce error rates, thereby, potentially even saving more money, should be implemented. But if the departments cannot do them, I think the departments cannot do them.

And the people on the ground, the people in the departments, are really to a certain extent who have to

cd  
SENATE

441  
May 5, 2010

make these decisions on a day-to-day basis. We in the legislature set policy. We in the legislature tell the departments what we think they should do. Sometimes the agencies cannot do it and so that is a very real possibility, that somethings they may not be able to do.

There are also things that the agencies may have to delay, of course, implementation of. But we hear a lot around hear about doing more with less. And I think that sometimes that rings hollow because if we could have done more with less, maybe we already would have. Maybe we can do more with less; maybe we do have to become a little more efficient. And maybe some of the federal monies we get will help us implement some of the other programs.

There is, for example, under one provision of the bill, I believe it's under getting monies for the federal breakfast programs. We'll be able to keep 1 percent of the monies as an administrative fee. If that 1 percent turns out to be enough, great. If it turns out to not enough, we may have to spend a little more money in order to get those federal funds and feed children. If it turns out to be more than we need to implement that program, then maybe we win.

cd  
SENATE

442  
May 5, 2010

Like any bill, I think this bill is an outlook on the future of what we expect to happen and what we hope will happen, and, hopefully, we'll win. If we lose some money, well, then we've lost some money. But I do think it's a fair question. I don't think it's a trick question at any means. But it's one of the hard decisions that we are making as a legislature, and I expect it'll be some of the hard decisions that our departments will be making as well. Through you, Mr. President.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

And I raise this issue because I think increasing we're -- we're seeing a phenomena where the General Assembly passes laws, enacts policies and then directs the agencies to implement those policies without committing the resources necessary to get the job done. I mean, this year the Judicial Branch threw a flag on the play because, Mr. President, the legislature had directed the Judicial Branch to do many, many important policy initiatives and then turned around -- turned around and pulled the plug on the funding. But we didn't take away

cd  
SENATE

443  
May 5, 2010

the obligation we had given them to do things but we took away the money.

Mr. President, the legislature needs to be mindful of not imposing obligations on agencies to do laudable things if we don't have the ability to provide them with the funding to get the job done. Nothing erodes confidence in government more than when we make false promises. And we don't make false promises because we're bad people. We make false promises because we cling so, hopefully, to the notion that somehow they'll find a way to do more with less. And, to some extent, we know they're trying to do more with less but they're not miracle workers.

So Mr. President, I appreciate Senator Musto's recognition of the fact that implementing this bill may be a challenging proposition, and I just don't want people watching this debate to think, oh, great, the legislature just passed this bill; all will be right with the world. There's a lot more work ahead to make sure provisions, like this, are implemented.

Thank you, Mr. President.

I thank Senator Musto for his answers.

THE CHAIR:

Thank you, sir.

cd  
SENATE

444  
May 5, 2010

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

I'd like to commend Senator Musto and the others involved in moving this bill forward.

I had the great good fortune that the Speaker of the House of Representatives invited me to attend one of these in-the-state hearings. It was attended by Representative Jarmoc of Enfield, who was appointed by the Speaker of the House to serve as one of the co-chairs or the chair of the task force.

It seems to be the modus operandi of the Speaker of the House of Representatives to select Democrats from his caucus to head up task forces and have them go throughout the state of Connecticut. And that's all well and good. I look forward to the day when the Speaker appoints some Republicans to head up some of these task forces, but I'm not holding my breath. Representative Tallarita was there. The Speaker of the House of Representative was there in Enfield. Congressman Joe Courtney was there, members of different advo -- advocacy groups were there as well. And the hearing was held at Asnuntuck Community College on a winter Saturday from about 9:00 in the morning until about noontime. And I counted and

cd  
SENATE

445  
May 5, 2010

there was approximately 25 people that came to testify and probably about 20 of those people served in social service agencies in the town of Enfield or surrounding communities. And about five folks were just regular folks that came and talked about some of the difficulties that they had given the recession.

It's a laudable proposal. I agree with Senator Boucher. As much as I am going to cosponsor this legislation, it is aspirational -- it is aspirational. There is not a lot of funding tied into it because we don't have any money. I mean, we got into the whole notion that we are running in the red. You know, we just -- just two hours ago, we're scrambling to borrow a billion dollars, a billion dollars, just to fix fiscal year 2011.

If I'm out in the state of Connecticut watching this on CTN, maybe we need an act concerning state government in the recession as opposed to children in the recession. We don't have enough money to put our own house in order and, yet, we continue down the path of creating more and more and more programs. But how can you turn your back on kids? You can't. This is mom, apple pie and all the other good things. And there's no dollars associated so it's warm and fuzzy and good and we'd like to move

cd  
SENATE

446  
May 5, 2010

forward in that direction. But is it the be all and the end all? No, no. And sometimes doing something small that's properly funded and well thought out can be better for the people of Connecticut because they're going to wake up and after the effective date, they're going to be able to and rely on that government program.

Do we care about kids in the recession? Absolutely. I care about kids. Do I care about grownups in the recession? Absolutely. Do I care about my seniors in the recession? Absolutely. Do we care about everybody in the state of Connecticut because that's whom we serve? Absolutely.

Nonetheless, I thought it was a good thing that as much as, perhaps, this task force was a bit partisan in its makeup. At least the Speaker of the House saw fit to extend an invitation to come to the hearing and to listen to the people that testified and for that I give him credit. That's a good thing.

But I think that this chamber and this building works far better when we really exchange ideas between Republicans and Democrats and when there's, if not an equal balance in the makeup of our task forces, at least it's as close as possible. I -- I guess I get a little bit concerned when I see a task force on domestic



cd  
SENATE

447  
May 5, 2010

violence, a task force on children in the recession, task force on correctional issues and they're all sort of headed by, you know, the Speaker and they basically appoint a disproportionate number of Democrats to Republicans. And then -- then our colleagues go out there and trumpet this as the next best thing to sliced bread.

We have a committee structure and the committee structure is balanced in a way that reflects the makeup of this legislative body. And I would hope that going forward that the concept of task forces don't run too far down the road.

I remember way back when when we were in the majority, when it was 19-17 Republicans, and it was about -- I want to say 1994 to, like, '96 or thereabouts. I actually was working with members of the House because we had, I would guess, 40 bill proposals that had as an element task forces. In those days, task forces were part of legislation and it was a common practice. And we had on the last day of session -- one of the roles that I was appointed by my leadership at that time was to negotiate with -- at that time the House was controlled by Democrats -- and we would try to weed that 40 -- list of 40 task forces down to about seven or eight. And over

cd  
SENATE

448  
May 5, 2010

the years we sort of moved away from that process and bills with task forces got put in -- sent over to legislative management. And up until a couple of years ago, task forces were somewhat frowned upon as a lot of window dressing but with not a lot of substance. And the pendulum seems to moving its way back in the other direction.

You can never fault the people that really want to do good, Democrat or Republic, and you cannot fault the goals of these task forces. They all strike a chord. And with this one and the one on domestic violence -- and the one on domestic violence, in particular, I think address certain things that given the recession's affect on people's famile -- behavior in a family setting and some of the tremendously horrible cases that have occurred in the last year or two, that was an area where it's fruitful for a task force to be created.

I guess my only caution while being supportive of this bill and, again, happy to cosponsor the -- the measure as aspirational for our kids -- is that given the fact that we're going to be facing a year or two or three with multibillion dollar deficits, I think that we need to be very cautious in laying a layer of task forces on top of our committee system.

cd  
SENATE

449  
May 5, 2010

We are all charged when we get elected to be advocates for our constituents. We are all charged to go out there in our districts and represent our constituents and their concerns. And if we get to a point where the leadership either of this chamber, which I don't believe Senator Williams has sort of proceeded down this path but down in the House they sort of seem to be moving in this path. I just -- just have a concern that there's going to be an awful lot of -- of this going on. And I think that by setting up a construct that by its nature is disproportionately favorable to one party, it almost sort of excludes the other party. And nobody wants to be playing in a rigged game.

You know even though that representation on our committees here is disproportionate, we have rules. We have procedures. You know when I -- when I went to the hearing that took place in Enfield at Asnuntuck Community College with the task force, I asked the people in charge is there a record being kept of the testimony. No, we don't have money for that but people are free to write down notes if they want. I asked the chair at that time can I get copies of everything that was submitted. I was promised that. It never was forthcoming. I wanted a list of all the people that testified. That was never

cd  
SENATE

450  
May 5, 2010

forthcoming. So let's -- let's be serious. I mean is it a road show just to gin up support for certain concepts and self-promote individuals or is it really getting down to substance? Let's not kid ourselves.

So on this one, happy to support it; domestic violence, happy to support it; corrections where Senator Guglielmo and myself on the subcommittee on staff safety, happy to support it, but it started off, this concept with hearings in the building, and now it's proceeded to hearings throughout the state but without the creation of records, without access to information as to who testifies, without creating that sort of library of information that allows us to go back and check what's going on. It has a propensity to go down in a path that excludes the minority. And while today Republicans are in the minority and Democrats are in the vast veto-proof majority that can change. And as Alexis de Tocqueville wrote, as Senator LeBeau has reminded me on many occasions, we need to be concerned regarding the tyranny of the majority.

And I don't see that tyranny here, and, certainly, there's no tyranny involved in Senator Musto wanting to proceed with this bill. He cares about children as much as anybody in this building.

cd  
SENATE

451  
May 5, 2010

But, again, I guess I'm a little bit of a policy wonk. I think process matters as much as policy sometimes. And to the extent we leave process then I think that allows us to get lost when it comes to policy. Thank you very much, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on the bill as amended by House "A"?

Senator Boucher, are you standing to ask a question?

SENATOR BOUCHER:

Yes.

THE CHAIR:

Please for a second time, ma'am

SENATOR BOUCHER:

Yes, Mr. President, with your indulgence and approval for the second time, if I may?

THE CHAIR:

Be my pleasure.

SENATOR BOUCHER:

Given the comprehensiveness of this bill and the need to define a little bit more clearly some of the vagueness of some of the statements in here that are

--

cd  
SENATE

452  
May 5, 2010

THE CHAIR:

Excuse me, Senator Boucher.

SENATOR BOUCHER:

Yes.

THE CHAIR:

I can't hear Senator Boucher. Could you please take your conversations somewhere else please?

Senator Boucher --

SENATOR BOUCHER:

Yes.

THE CHAIR:

Please proceed.

SENATOR BOUCHER:

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

It's much appreciated.

And I'm -- I'm not going to belabor this issue much longer. I know a lot of folks has -- have talked about it.

But given that the -- the -- actually, that the Child Poverty Prevention Council will become or constitute the leadership team and that they were, in fact, given a mission to achieve a very, very aggressive goal of 50 percent reduction in child poverty in the state by June 30, 2014, just four years away. And when

cd  
SENATE

453  
May 5, 2010

this was enacted, they required a report on or before January 1st of each year from 2006 to 2015 to the General Assembly committees cognizant of these matters, particularly, the Select Committee on Children, of the matters relating to children, on the implementation of the plan and progress made towards meeting the child poverty reduction goal as sus -- specified in the section. Through you, Mr. President.

I -- I know that, both, our good Senator and I are new to this committee but through you, if he has any recollection of being provided this report and -- and its -- the results to date. Through you, Mr. President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Through you, Mr. President. No, I do not, Senator Boucher.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you very much, Mr. President.

It seems like we are tripping over ourselves to try to do the right thing and, certainly, this bill, this comprehensive bill tries to do it as well.

cd  
SENATE

454  
May 5, 2010

And I'm just going to ask one question further in an effort to define in the first section under subsection B, where the council shall work in consultation with other government agencies to develop and promote policies, practices, procedures within available appropriations to mitigate the long-term impact of economic recession on children and provide appropriate assistance. Through you, Mr. President. Could -- do we -- can -- at least for guidance to those committees that are going to be working on this, could we give them a definition, a kind of a parameter, of exactly what we mean by mitigating these long-term impacts? Through you, Mr. President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Yes. Thank you, Mr. President.

Some of the things that we're talking about we've sort of talked about before in this discussion, but I -- I do want to make them explicit for Senator Boucher and for the agencies.

Again, we are -- the hour's late and -- and we are talking about this quite a bit so I will keep it somewhat short, but mitigating the long-term impact of economic recessions on children means feeding them. It means



cd  
SENATE

455  
May 5, 2010

doing some of these school lunch programs, the food programs that we have. It means making sure that their parents have money for housing. That means some of the temporary assistance for needy families programs getting, again, more money from the federal government.

It means helping with jobs which, again, an example of that in the bill is providing for education to be treated as a work activity for purposes of, again, some of the federal programs. We want to keep parents working. We want to keep children fed. We want to keep families housed. Those are the things we're talking about.

And I thank Senator Boucher for the question.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

SENATOR BOUCHER:

Thank you, Mr. President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

And I appreciate the answers. I think it certainly helped to clarify quite a bit.

cd  
SENATE

456  
May 5, 2010

Again, to close so much of this is in -- within available appropriations that it is a concern for some of us in moving this bill forward. And, in particular, in some of the sections that are currently being done by the various agencies or would require probably a staff person, some estimates in the neighborhood of \$30,000 plus benefits which could make it a \$50,000 position. So I think, in going forward, we have to be honest about what we're trying to accomplish here.

It is a laudable goal, and I appreciate the good chairman of the committee for his patience with our questions and for the clarification. Through you, Mr. President.

THE CHAIR:

Thank you, Senator Boucher.

Will you remark further on House Bill 5360 as amended by House "A"?

Senator Musto.

SENATOR MUSTO:

Thank you, Mr. President.

I'm going to give it a shot and ask that this be placed on consent.

THE CHAIR:

There is a motion on the floor to place this item on consent.

Senator Boucher, you're grimacing there?

I'm sorry. Could you please use your microphone?

Do you object, ma'am?

SENATOR BOUCHER:

Well, if it's okay with you. I think on this such a large comprehensive bill I think we should have a roll call vote.

Thank you.

THE CHAIR:

There's objection, sir.

We'll 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? 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 House Bill 5360 in concurrence with the action of the House.

cd  
SENATE

458  
May 5, 2010

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

THE CHAIR:

The bill passes.

Senator Looney.

SENATOR LOONEY:

Yes, Mr. President, if the Senate might stand at ease for just a moment.

THE CHAIR:

The Senate will stand at ease.

(Chamber at ease.)

THE CHAIR:

The Senate will come back to order.

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

Mr. President, I know the hour is late, but it would -- we would not do service to the circle and the people of the state of Connecticut today if, in addition to paying tribute to the four members of this circle who are leaving us, we did recognize and pay tribute to our Lieutenant Governor and the President of the Senate.

cd  
SENATE

459  
May 5, 2010

I'm not sure I remember the first time I met you, but it was somewhere in the House chamber. And I think you were doing about four different things at once: reading an amendment on a bill; you were one of the first to have an earpiece in your ear. I believe you were directing one of your many businesses on the House floor and having a conversation with one of your colleagues. So that's three things at once, but I'm sure at some point there, you had a conversation with Carol back in Stamford as well.

And what I've always appreciated about your tenure in the House and your tenure here is many things. First, you, in many ways, are a man of the people. You don't take yourself too seriously. As you have told me on many occasions, you might come home after a long night and think you're a big shot and there's Carol saying, Don't forget to take the garbage out just because it's two o'clock. And you always were kind with words to talk to me and other members.

You took your job seriously but you always knew that you were a public servant for part time of your life. It was not your life. You've been a successful business person, and you have used your experience, your talents

cd  
SENATE

460  
May 5, 2010

and your caring to help better the state of Connecticut,  
not to further your political career.

I think all of us who served with you in the General Assembly and those of us in the circle over the last four years have come to know you personally and know of your truly amazing American story. Though you are not alone in that story, yours is unique in many ways and it truly is something like -- when you think about what the immense potentials of this country are, what the amazing possibilities presented by living in the most free country in the world, your life embodies that.

And so as you spend your last session with gavel in hand -- I'm hoping you won't use it to gavel me out of order -- but we do want to rise and thank you. I can say for one thing, unlike your predecessor you never looked down your eyeglasses at me and gave me the stare to be quiet. I know you wanted to a couple of times. But your service to our state has been truly remarkable and I know you have a big challenge ahead of you. And, as I know when you went -- when you left the General Assembly and once wanted to be a member of this circle, there would be other times in your life when you would come back to public service, go back to the private sector, and I expect that there is much more that the citizens of the

cd.  
SENATE

461  
May 5, 2010

state of Connecticut will hear and benefit from Michael Fedele.

It's been an honor to serve with you, and I wish you well in the future.

Thank you.

THE CHAIR:

Thank you very much, Senator McKinney.

Senator Williams.

SENATOR WILLIAMS:

Thank you, Mr. President.

I rise to offer a tribute to you and your leadership.

You know we have bumped into each other throughout the years when you were a state representative here but also bumped into each other all around the state at different events as you have travelled to all four corners of the state of Connecticut in your job as lieutenant governor at the various events when we're able to make announcements that move the state forward. And I've always appreciated your graciousness. I've always appreciated the fact that you're out there for the folks in Connecticut as they see you as lieutenant governor.

In the chamber, we know you in a different way, and I appreciate your professionalism. I appreciate the --

cd  
SENATE

462  
May 5, 2010

the tenor that you set in this chamber. Oftentimes, it gets difficult as folks are trying to do their business. The noise level goes up there. You're always able to bring us right back down.

So it's been a pleasure to serve with you. And Senator McKinney referred to your own unique American success story. So I wish you all the best success. I know you're going for some post up there now that requires even more success. So I want to wish you success -- maybe not -- well, I won't say it. But -- but I want to thank you for everything you've done for us, and I really appreciate the relationships you built up here and the collegiality that you have fostered in this chamber. Thank you, Lieutenant Governor Michael Fedele.

And I would like to yield to the Majority Leader, Senator Marty Looney.

THE CHAIR:

Thank you, Senator Williams.

Senator Looney.

SENATOR LOONEY:

Thank you. Thank you, Mr. President.

Mr. President, certainly, want to share in the celebration of your -- of your service to the state of Connecticut. Your service in the -- in the House --



cd  
SENATE

463  
May 5, 2010

serving in the House of Representatives and then  
presiding in the Senate, we know how much you love the  
General Assembly and that you have a strong sense of its  
-- of its best traditions. And it's always been a --  
been a pleasure working closely with you over the last --  
the last four sessions with the phone conversations back  
and forth about the stopping and starting and moving and  
-- and suspension of business, and you've always been --  
been gracious, always been interested in moving the  
process forward and also always concerned about the  
dignity of this chamber. And that's something that I  
think all of us have appreciated, Mr. President, that you  
share the sense that we all have, that this is a -- an  
extraordinary gift that we've been given by our  
constituents to serve here and that no one should ever  
take it lightly for a single day. And I know that's how  
you feel and that why we all have that strong sense of  
shared experience.

Thank you, Mr. President.

And I would like to yield to -- to Senator Fasano,  
Mr. President.

THE CHAIR:

Thank you, Senator Looney.

Senator Fasano.

cd  
SENATE

464  
May 5, 2010

SENATOR FASANO:

Thank you, Mr. President.

Mr. President, what I've most enjoyed about having you serve as the President of the Senate is your humor. Now, I'm a little bit closer there to your side than a lot of these other folks, and I catch a lot more of your humor and I listen intently and it's been quite amusing as the day goes on -- the things you say, the puns that you make and I enjoy it tremendously. I've got to tell you. And it's your quick wit and your personality that has been in this chamber that I think has added a special dimension to this chamber.

As an Italian American, I'm very proud of your heritage, and I am quite jealous of the -- my inability to speak the Italian language the way you do.

Mr. President, it has been an honor to watch you serve over us. It's been an honor to watch you serve with great distinction, but I think most importantly, your congeniality. When people ask you to do something, you're always there. I've asked you to come to a number of events for a number of reasons -- nonpolitical as well as political -- and you've always made yourself available. That truly is a public servant. Some people say you were in the House and then -- for 10 years or so

cd  
SENATE

465  
May 5, 2010

-- and you still wanted to come back and be part of serv  
-- public service but that's because that's what's in  
you. You know how important it is to serve the public,  
and you do it with such great distinction -- distinction.

Mr. President, I thank you for the time that you  
served in this chamber. And I wish you tremendous  
success for the future.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Fasano.

Well, thank you for taking the time in this very  
busy evening to say those very kind words about me. It  
has been a pleasure to serve here. As many of you know,  
in 2002, I had plans to join you, but Senator McDonald  
had different notions at that time. But I told him I  
would be back and here I am.

You know, this is a clearly a -- an incredible  
country and state where a son of immigrant parents and an  
immigrant himself could aspire and preside over such an  
august chamber like the Senate and represent the state of  
Connecticut as the Number Two. I can tell you that this  
was not something that I ever thought I would ever aspire  
to. There were many things that I have done in my life

cd  
SENATE

466  
May 5, 2010

and this was never one that would honestly say to you -- particularly, after I left the House, that I would be here -- back here not only in the Capitol but in this chamber in this role.

I have been blessed in my personal life with an incredible family, a wonderful wife who allows me to do some of the crazy things that I've tried to do in my personal life and in business and here in politics. And I think that is the backbone of all of us who have been successful here and -- and family being very important.

I've also been blessed to be able to go back to the community that I've come from. And as I said to Senator DeBicella this morning, you know, it's important that we never forget where we've come from because we will be going back there, and you will not be known as a senator or representative or governor, you'll be known as Mike or Joe or whatever. Remember that this is just a chapter and verse in your time. If you don't believe that, try to think back who was the governor back in 1955 and that proves the point.

I have been blessed to be able to serve with you here, and it's been a lot of fun and a little hectic at times. And, you know, I, obviously, I do aspire to a different office this November, and I look forward to

cd  
SENATE

467  
May 5, 2010

working with you in January and look forward to being downstairs on January 5th to welcome you all back. And, I guess, if you're going to run for office you've got to think positive.

But this has been an incredible experience for me. My life has been an incredible journey. One that the installation of public service started with my parents. I know many of you have heard me tell the story about the loaf of bread that my dad used to say that, you know when you're born God gives you a loaf of bread and you go through life and when you meet your spouse or your partner and you rip off that loaf of bread and you give half to that partner. And as you go through life, you continue to give more of that loaf of bread to your friends and family and people that you meet along the way. And, as a young man, I actually thought the more bread you left life with was you were the winner but actually it was the exact opposite. The person left with the crumbs really had the full life and so that is something that I've tried to live in my personal life, my business life and, here, with all of you in this chamber and downstairs for 10 years and, hopefully, the next four years starting in January.

cd  
SENATE

468  
May 5, 2010

So I thank you for this tribute. I wish you  
Godspeed, all the best in whatever -- wherever your life  
takes you. And I hope that you have as much fulfillment  
in your life and that which you do as I have had in these  
55 years of my life.

Thank you very much.

THE CHAIR:

Okay. Thank -- thank you. Thank you very much.

Let's get back to work here, Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Yes, and the -- the fact that we kept the comments  
limited to the four leaders is not an indication that the  
other members of the circle were not anxious and looking  
to speak as well. And -- and I think all of them would  
certainly join us in celebrating your service. And, in  
particular, Senator McDonald, I know was anxious to  
reference your great service to the City of Stamford and  
how much you have devoted to the good of that city over  
your career.

THE CHAIR:

Thanks. I very much appreciate that, and I will be  
voting in November also.

Thank you, Senator Looney.

cd  
SENATE

469  
May 5, 2010

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, we have some additional items to mark at this time. First of which is on calendar page 14, Calendar 512, House Bill 5248, AN ACT REGARDING THE SENTENCING COMMISSION; and then we have, Mr. President, after that taking up -- move to take up an item that is on page -- Calendar page 8, Calendar 443, House Bill 5295 from the Insurance and Real Estate Committee.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Mr. Clerk.

THE CLERK:

Returning to the call of the calendar, calendar page 14, Calendar Number 512, File Number 67, Substitute for House Bill 5248, AN ACT ESTABLISHING A SENTENCING COMMISSION, favorable report of the Committee Judiciary and Appropriations.

THE CHAIR:

Senator McDonald.

SENATOR MCDONALD:

Thank you, Mr. President.

cd  
SENATE

470  
May 5, 2010

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

THE CHAIR:

Acting on approval and acceptance of the bill, sir. Would you like to remark further?

SENATOR MCDONALD:

Yes, Mr. President.

Mr. President, this amen -- bill comes to us as a recommendation from Chairman Farr from the Board of Pardons and Paroles, among others, and creates a 23-member sentencing commission to review the criminal sentencing structure in the state of Connecticut and any proposed changes necessary to implement the interests of justice.

THE CHAIR:

Thank you, sir.

Will you remark further on House Bill 5248? Will you remark further?

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President. And congratulations on everything as well --

THE CHAIR:



cd  
SENATE

471  
May 5, 2010

Thank you, sir.

SENATOR KISSEL:

I know that the last comments were limited to our leaders but -- I wish you the very best.

THE CHAIR:

Thank you. I appreciate that, sir.

SENATOR KISSEL:

I stand in support of this proposal. It's something that we worked on very diligently over a year ago. And what a lot of us did was we brought together leaders from throughout all areas of our judicial system regarding criminal justice and we sought to establish something that is prevalent in states throughout the United States both Democratically-controlled states and Republican-controlled states. It's not something that is considered a liberal idea or a conservative idea, but it's the notion of having a sentencing commission that we can bounce ideas off of whether it's proposed legislation or other concepts and have folks that are in the field of criminal justice weigh in on those ideas to determine whether there's costs associated with that, whether it will actually achieve the end results that we hope to achieve. Sometimes the notion is proffered that if something is too draconian, it won't get used, it'll be

cd  
SENATE

472  
May 5, 2010

plea bargained down or something like that. And so, indeed, we tried to create a sentencing commission that not only would have the best minds on it familiar with all aspects of our criminal justice system but also individuals that would have a vested interest in making sure that only the best public policies would move forward.

So, for that reason, Mr. President, I stand in strong support of this proposal. I believe it has some buy in from the executive branch. I think it can help our state. It's been advocated by a lot of folks throughout the country that have come and informed us regarding how successful it's been in other states. And I think it will help us in getting the very best results from our criminal justice system. And, clearly, with diminishing resources, we have to make sure that what we move forward, as a legislature, achieves the ends that we so desire.

Thank you, sir.

THE CHAIR:

Thank you, Senator Kissel.

Will you remark further on House Bill 5248? Will you remark further?

Senator McDonald.

cd  
SENATE

473  
May 5, 2010

SENATOR MCDONALD:

Thank you, Mr. President.

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

THE CHAIR:

Senator Caligiuri.

There is objection, sir.

Mr. Clerk, please call for a roll call vote.

The machine will be opened.

THE CLERK:

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

THE CHAIR:

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 House Bill 5248 in concurrence with the action of the House.

Total number of voting	35
Those voting Yea	34
Those voting Nay	1

cd  
SENATE

474  
May 5, 2010

Those absent and not voting 1

THE CHAIR:

The bill passes.

Mr. Clerk.

THE CLERK:

Calendar page 8, Calendar Number 443, File Number 10  
-- 106 and 624, House Bill 5295, AN ACT CONCERNING THE  
PURCHASING OF PRESCRIPTION DRUGS BY NONSTATE PUBLIC  
EMPLOYERS as amended by House Amendment Schedule "A,"  
favorable report of the Committee on Insurance.

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 in  
concurrence with the House.

THE CHAIR:

Acting on approval and acceptance of the bill, sir.  
Would you like to remark further?

SENATOR CRISCO:

Yes, Mr. President.

This is a --

THE CHAIR:

cd  
SENATE

475  
May 5, 2010

Senator Crisco is trying to bring out a bill. He's having trouble speaking.

SENATOR CRISCO:

Thank you, Mr. President.

THE CHAIR:

You're welcome, sir.

SENATOR CRISCO:

This is a win-win piece of legislation where the towns and cities could save a considerable amount of dollars and which is very -- which is very dearly needed now. It also enables the Comptroller to increase her bargaining power. The best illustration of this was when the retired teachers recently came into her plans of 16,000 retired school teachers participated and this enabled the Comptroller to get a better pricing for the state plan.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator Caligiuri.

SENATOR CALIGIURI:

Thank you very much, Mr. President.

Very briefly, I rise in opposition to the bill.

There are two parts to the bill. The first allows that

cd  
SENATE

476  
May 5, 2010

nonpublic employers to participate in the Comptroller's bulk purchasing plan. That part of it is good.

The second part that concerns me is the ability of these same nonpublic employers to participate in the state's self-insured prescription plan as I read the bill. I think that this is just the prescription version of the pooling plan that has been controversial over the years. I have the same concerns and for that reason will be voting against it.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on House Bill 5295 as amended by House "A"?

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

The machine will be opened.

THE CLERK:

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

THE CHAIR:

cd  
SENATE

477  
May 5, 2010

Have all members voted? If all members voted, please check your vote. The machine will be locked. The Clerk will call the tally.

THE CLERK:

Motion to pass House Bill 5295 in concurrence with the House.

Total Number of Voting	35
Those voting Yea	27
Those voting Nay	8
Those absent and not voting	1

THE CHAIR:

The bill passes in concurrence with the House.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, we have an item to place on the consent calendar and we'll mark additional items on calendar - on Senate Agenda Number 3. Mr. President, under House Bills Favorably Reported, Substitute House Bill 5490, AN ACT CONCERNING THE MINIMUM BUDGET REQUIREMENT IN VARIOUS EDUCATION GRANTS as amended by House Amendment Schedule "A." Mr. President, we move to place that item on the consent calendar.

THE CHAIR:

cd  
SENATE

478  
May 5, 2010

Motion to place the item on consent?

SENATOR LOONEY:

Yes, thank you --

THE CHAIR:

Seeing no -- seeing no objections, so ordered, sir.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, next item to call is calendar page 12, Calendar 491, House Bill 5246; and the next item to call after that, Mr. President, is back on Agenda 3 and it will be -- will ask to take up Senate Bill 218 but first is calendar page 12, Calendar 491.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calendar page 12, Calendar Number 491, File 314 and 659, Substitute for House Bill 5246, AN ACT CONCERNING THE PROTECTION OF, AND SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE as amended by House Amendment Schedule "A," favorable report of the Committee on Human Services, Judiciary and Appropriations.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:



cd  
SENATE

479  
May 5, 2010

Thank you, Mr. President.

I move acceptance of the joint favorable committee report in concurrence with the House.

THE CHAIR:

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

SENATOR DOYLE:

Yes. Thank you, Mr. President.

This bill is another one of the three domestic violence bills that deals with public service announcements for teen dating issues, also surcharges for the distribution of the marriage license proceeds, also has some provisions in connections with landlord/tenant which will be amended by the next bill.

I urge the chamber to approve the bill.

THE CHAIR:

Thank you, sir.

Will you remark further?

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

Through you, just a question for the proponent of the bill?

THE CHAIR:

cd  
SENATE

480  
May 5, 2010

Senator Doyle.

SENATOR KANE:

Senator Doyle, I know you've been working hard on -- on a couple of issues in regard to this bill. One of which was the landlord/tenant issues that were worked out. Can you tell us that that -- for clarification that that has been worked out? Through you.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Through you, Mr. President, yes, that issue has been worked out and it will be resolved within -- we're going to take a roll call vote on this bill, the next bill is AN ACT CONCERNING SAFE HAVENS. There is an amendment in that that I will explain that addresses our concerns in landlord/tenant. Through you, Mr. President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

Senator Doyle has answered my questions, and I look forward to supporting the bill.

THE CHAIR:

Thank you, sir.

cd  
SENATE

481  
May 5, 2010

Will you remark further?

Senator Stillman.

SENATOR STILLMAN:

Thank you, Mr. President and all the best to you as well, sir.

THE CHAIR:

Thank you, ma'am.

SENATOR STILLMAN:

It was a very nice moment we had sharing with you.

I rise in support of this bill, and I thank Senator Doyle for his hard work in trying to work out some last minute resolutions. I look forward to voting on those resolutions as we move forward.

As we all know, there were a series of three bills addressing this horrific issue of domestic violence in the state. I served on the task force. The task force worked very hard, and I appreciate the support of -- of the circle.

Thank you, sir.

THE CHAIR:

Thank you, ma'am.

Will you remark further on the bill?

Senator Doyle.

SENATOR DOYLE:

cd  
SENATE

482  
May 5, 2010

Mr. President, I request a roll call on this bill.

THE CHAIR:

A roll call vote will be ordered, sir.

Would you remark further on House Bill 5246? Will you remark further on 5246?

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

The machine will be opened.

THE CLERK:

Immediate roll call has been ordered in the Senate.

Will all Senators please return to the chamber.

Immediate roll call vote has been ordered in the Senate.

Will all Senators please return to the chamber.

THE CHAIR:

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

THE CLERK:

Motion is on passage of House Bill 5246 in concurrence with the action of the House.

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

THE CHAIR:

cd  
SENATE

483  
May 5, 2010

The bill passes.

Mr. -- Mr. Clerk.

THE CLERK:

Calling Senate Agenda Number 3, Substitute for Senate Bill 218, AN ACT CONCERNING SAFE HAVEN CASES, as amended by House Amendment Schedules "A" and "B," favorable report of the Committee on Judiciary.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Thank you, Mr. President.

I move acceptance of the joint committee's favorable report and passage in concurrence with the House.

THE CHAIR:

Acting on acceptance and approval of the bill, sir, would you like to remark further?

SENATOR DOYLE:

Yes. Thank you, Mr. President.

This bill that's before us before the underlying bill deals with safe haven cases, clarifies the procedures for mothers to present their children for -- to the safe haven area.

It also has two amendments. And I'll highlight one amendment, the House would be LCO 555. This is the,

cd  
SENATE

484  
May 5, 2010

quote, fix for the landlord/tenant issues in the prior bill. It -- it -- after much deliberation between the both chambers, this bill makes -- really provides due process, I believe, for the landlord/tenant in the domestic violent cases where the lease is terminated, and I urge the chamber to adopt it.

And, then, finally, Mr. President, I request a roll call on this bill also.

THE CHAIR:

Sen -- Senator -- Senator Doyle, just -- there's some confusion up here. You are bringing out the bill, requesting a roll call and then you also -- there's an amendment you wanted to call?

These are all House amendments. Okay.

Thank you, sir.

SENATOR DOYLE:

No, I just --

THE CHAIR:

Got you.

Will you remark further on Senate Bill 218? Will you remark further on Senate Bill 218?

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

THE CLERK:

cd  
SENATE

485  
May 5, 2010

Immediate roll call has been ordered in the Senate.

Will all Senators please return to the chamber.

Immediate roll call vote has been ordered in the Senate.

Will all Senators please return to the chamber.

THE CHAIR:

Have all Senators voted?

I'd like to remind all Senators that the clock is ticking, and we're going to be moving fast particularly on roll call. So if you can stay in your seats unless there's an issue.

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 218 in concurrence with the action in the House.

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

THE CHAIR:

The bill passes.

Senator Looney.

SENATOR LOONEY:

cd  
SENATE

486  
May 5, 2010

Thank you, Mr. President.

Mr. President, I believe we have now Agendas 5, 6 and 7 -- is that correct, since the last time we moved Agendas? The Clerk would verify that?

THE CLERK:

Yes. It's correct.

Mr. President, the Clerk is in possession of Senate Agendas 5, 6 and 7, all dated Wednesday, May 5, 2010. Copies have been distributed.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, I move all items on Senate Agendas Numbers 5, 6 and 7, dated Wednesday, May 5, 2010, to be acted upon as indicated and that the agendas be incorporated by reference into the Senate journal and the Senate transcript.

THE CHAIR:

There's a motion on the floor to move all items on Senate Agenda 5, 6 and 7. Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Mr. President.



cd  
SENATE

487  
May 5, 2010

Mr. President, would move all items on Senate Agendas 5, 6 and 7 immediately to the calendar.

THE CHAIR:

There's a motion on the floor to move all items on Senate Agenda 5, 6 and 7 to the calendar. Without objection, so ordered, sir.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, would ask the Clerk to call from Senate Agenda Number 7, under Emergency Certification Introduction of Senate Resolution, Senate Joint Resolution Number 48.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calling from Senate Agenda Number 7, Emergency  
Certified Resolution Number 48, RESOLUTION CONVENING THE  
-- THE GENERAL ASSEMBLY IN SPECIAL SESSION. The  
Resolution is accompanied by Emergency Certification  
signed Donald E. Williams, Jr., President Pro Tempore of  
the Senate; Christopher G. Donovan, Speaker of the House  
of Representatives.

SJ48

THE CHAIR:

Senator Looney.

cd  
SENATE

488  
May 5, 2010

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, I would move adoption of the resolution and ask leave to summarize.

THE CHAIR:

Acting on adoption and approval of resolution, sir, please -- please remark.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, pursuant to Article 3 of the Amendments of the Constitution and our Joint Rules, this resolution will call a Special Session of the General Assembly to convene not earlier than 12:01 a.m., on May 6, 2010, and to adjourn not later than 12:00 a.m., on November 3, 2010, and the purpose would be to enact legislation bills relating to the Citizen Selection Program statutes and other elections statutes.

Thank you, Mr. President.

I would move the resolution.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate Joint Resolution Number 48?

If not, Mr. Clerk.

cd  
SENATE

489  
May 5, 2010

THE CLERK:

Immediate roll call has been ordered in the Senate.

Will all Senators please return to the chamber.

Immediate roll call vote has been ordered in the Senate.

Will all Senators please return to the chamber.

THE CHAIR:

Senator Fasano?

Senator Maynard?

Have all Senators voted?

Senator Fasano? Senator Fasano, you're in the room,  
got to vote.

If all Senators have voted, please check your vote.

The machine will be locked. The Clerk will call the  
tally.

THE CLERK:

Motion's on adoption of Emergency Certified  
Resolution 48.

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

THE CHAIR:

The resolution is adopted.

Senator Looney.

cd  
SENATE

490  
May 5, 2010

SENATOR LOONEY:

Mr. President, I would move for immediate  
transmittal to the House of Representatives of Senate  
Joint Resolution Emergency Certified Senate Joint  
Resolution Number 48.

THE CHAIR:

Seeing no objections, so ordered, sir.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, a couple of additional items to mark  
at this time.

First is calendar page 15, Calendar 522, House Bill  
5314.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, Mr. President, if the Clerk would -- would call  
that item?

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calendar page 15, Calendar Number 522, File Number  
276 and 679, Substitute for House Bill 5314, AN ACT  
BANNING CADI -- CADMIUM IN CHILDREN'S JEWELRY AND

cd  
SENATE

491  
May 5, 2010

CONTAINING THE -- CONCERNING THE TIME FOR IMPLEMENTATION  
OF THE BAN ON INFANT FORMULA AND BABY FOOD RECEPTICLES  
CONTAINING BA as amended by House Amendment Schedule "A,"  
favorable report of the Committee on Children,  
Environment and General Law.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Thank you, Mr. President.

Mr. President, what this bill does essentially  
is --

THE CHAIR:

Senator Musto, you have to bring the bill out, sir.

SENATOR MUSTO:

Mr. President --

THE CHAIR:

It's quite all right, sir.

SENATOR MUSTO:

It's getting a little late.

THE CHAIR:

I understand, sir.

SENATOR MUSTO:

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

cd  
SENATE

492  
May 5, 2010

THE CHAIR:

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

SENATOR MUSTO:

Yes, Mr. President. Briefly --

THE CHAIR:

Please proceed.

SENATOR MUSTO:

Thank you.

What this bill does is puts a limit on the amount of cadmium that can be in children's jewelry and limiting it to 75 parts per million of the total content in the State of Connecticut by 2014. It also delays the ban on bisphenol-A products in children's bottles -- bottles that we did last year until 2014. And the reason for that is that we are having the -- the people who create the WIC program or who go to bid for the WIC program are having some trouble meeting that deadline so we thought we'd give them a little extra time to meet it.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark?

Senator Boucher.

cd  
SENATE

493  
May 5, 2010

SENATOR BOUCHER:

Thank you, Mr. -- Mr. President.

Very briefly for legislative intent please, may I pose a question to the proponent?

THE CHAIR:

I'm sorry, ma'am.

SENATOR BOUCHER:

Question -- question to the proponent, sir?

THE CHAIR:

Senator Musto, please.

THE CHAIR:

Please proceed, ma'am.

SENATOR BOUCHER:

Through you, Mr. President, would this legislation apply to children's play items, such as tiara or similar item that may be used for play, as an example a princess outfit with accessories? Through you, Mr. President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Thank you, Mr. President.

Through you, I believe that question was asked in the House and the answer was no. A tiara specifically would not apply. There is federal law regarding

cd  
SENATE

494  
May 5, 2010

children's products which children's jewelry is specifically exempted from. So I believe a tiara would not fall under this ban because it would be a children's product and, therefore, that would be a separate issues from children's jewelry. Through you, Mr. President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

And very thankful for the response and the clarification for legislative intent, and I think the bill can move forward.

Thank you, Mr. President.

THE CHAIR:

Thank you, ma'am.

Will you remark? Will you remark further -- on the bill as amended by House "A"?

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

And I will try to be very brief and very quick.

But through you, Mr. President, to my friend Senator Musto. He referenced a House "A" amendment. Let me -- let me preface my remarks by saying as a member of the



cd  
SENATE

495  
May 5, 2010

Environment Committee I voted for, do support and continue to support the removal of cadmium from children's jewelry, just as I supported in the Senate circle the removal of BPA, bisphenol-A, from baby bottles, formula and other products so we can keep our children in this state safe from toxic environments.

But through you, Mr. President, I believe the Senator said that we were delaying the ban on BPA because corporations who are attempting to -- I think he said bid on a WIC contract were having meeting the deadline. Through you, if he could -- could he please expand on that.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Thank you, Mr. President.

Through you, it is my understanding that only one company was able to meet the BPA ban within the time allotted by the legislature. In that respect, we decided -- or it was determined by others before me but which I agree, that we need other bidders for the WIC contract for two reasons. First of all, to lower the cost to the State but also to provide some competition in the marketplace for -- for other people who might be paying

cd  
SENATE

496  
May 5, 2010

for those types of things. I believe -- there's --  
there's quite simply only one company that could -- could  
manage that ban within that period of time. Through you,  
Mr. President.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

If I could just have a little quiet please.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

So therein lies my frustration, Mr. President. I  
will not out of respect for this circle read all of the  
comments of members in this circle and downstairs about  
the need to get BPA out of our children's products, about  
how the fact that it could cause, as a toxic element,  
serious health damages to babies and children in formula.  
And so we told corporations we're going to ban it because  
it's bad. And we have a corporation that has  
successfully banned it from all products and by the way  
that's a Connecticut company. And now we're saying  
because two other companies have not been able to ban the  
product and they want to bid on a contract, we're going

cd  
SENATE

497  
May 5, 2010

to allow them to bid when they couldn't do it one company was successful to doing. How many times have we heard people say, well, if it saves one life, it's worth it." Well, apparently now it's not because now we want three companies to bid on a contract, not just one, because we want to save money. Apparently now we don't care about saving children's lives.

Something is fishy with this. So I don't like it and, therefore, Mr. President, I believe the Clerk is in the possession of an amendment, LCO 5349. I ask that he call the amendment and seek leave to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 5349 which will be designated Senate Amendment Schedule "A" is offered by Senator McKinney of the 28th District.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

Ladies and gentlemen of the circle, this simply strikes House "A."

cd  
SENATE

498  
May 5, 2010

And I move -- Mr. President, I move adoption of the amendment.

THE CHAIR:

Please proceed, sir.

SENATOR MCKINNEY:

This strikes House "A." This gives us the BPA ban that we all voted for. This gives them -- us the cadmium ban that we should have. We can send it down to the House. Trust me, they will pass dozens of bills between now and midnight. Please don't stand up and give me, this will endanger the bill because we will move hundreds of bills in the Senate. They will move dozens of bills in the House. We have plenty of time.

We all stood and banned BPA. We came up with dates as to when the industry should do it and part of the industry, a Connecticut company, was successful in doing that. Just because the other companies weren't successful, we should not undo that important health measure for our children.

If anyone has stood up and said, if it saves one life, it's worth it, now's your chance to prove you meant what you said, Mr. President, by passing this amendment.

And I would ask for a roll call vote.

THE CHAIR:

cd  
SENATE

499  
May 5, 2010

Roll call vote will be ordered. Will you remark further on Senate "A"?

Senator Musto.

SENATOR MUSTO:

Thank you, Mr. President.

Due respect to Senator McKinney, this will endanger the bill. If this goes back down, it's going to be very difficult to get this bill back up. It was tough enough to get it up here in the first place and the -- the amendment was -- integral to the bill in the House. If we pass this amendment, it's done.

I agree in large part with my colleague, Senator McKinney. The BPA ban is a good one and we should promote it. We did talk to some environmental advocates, as well on this before this ban was extended, and they believe we do need to extend it for the reasons that I announced before.

So I rise in opposition to the amendment, regretfully, because I do agree with my colleague that BPA should be banned as soon as possible, unfortunately, I believe that 2014 is as soon as possible. Thank you.

THE CHAIR:

Thank you, sir.

Senator Roraback.

cd  
SENATE

500  
May 5, 2010

SENATOR RORABACK:

Thank you, Mr. President.

In -- in support of the amendment, Senator Musto says passage of the amendment will endanger the bill.

Mr. President, if I have to choose between endangering children and endangering the bill, I'll endanger the bill any day of the week.

Mr. President, it's ludicrous to suggest that the bill -- the ban can't be met until 2014. It has been met today. The fact that other manufacturers are slow to the party ought not to be an excuse for us to put the health of our children in jeopardy.

Mr. President, pass the amendment. If the people downstairs care about what's good for our children, the bill will be called and all will be right with the world. I urge support.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Roraback.

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

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

The machine will be opened.

THE CLERK:

cd  
SENATE

501  
May 5, 2010

Immediate roll call has been ordered in the Senate.

Will all Senators please return to the chamber.

Immediate roll call vote 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, the machine will be locked.

The Clerk will call the tally.

THE CLERK:

Motion is on adoption of House -- correction, Senate

Amendment Schedule "A."

Total Number of Voting 35

Total voting Yea 24

Those voting Nay 11

Those absent and not voting 1

THE CHAIR:

The amendment passes.

Will you remark further on the bill as amended by  
Senate "A"?

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

If I may, just a question to the proponent of the  
bill.

cd  
SENATE

502  
May 5, 2010

When I listened the debate in the House on this particular bill, the chair that brought the bill out stated that the product they were trying to ban, cadmium, is in a gray area and felt that it should be outlawed in children's jewelry. And I -- I'm not one of ones that would support because something's in a gray area to totally ban it and outlaw it so I voted against it in General Law. And I'm just curious, through you, Mr. President to Senator Musto, if he could explain if there's any scientific evidence as to is it truly harmful to children other than the answers that I heard in the House debate. Through you, Mr. President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

I'm not sure what you heard in the House debate. It -- we did hear from several scientists and advocacy groups that said cadmium is deadly to children.

Cadmium, again, is banned in children's products under federal law. Children's jewelry is not covered under federal law and that's where the State of Connecticut is filling in that hole. Through you, Mr. President.

THE CHAIR:



cd  
SENATE

503  
May 5, 2010

Senator Witkos.

SENATOR WITKOS:

Thank you, Mr. President.

I thank the gentleman for his answer.

I won't delay any comments.

Thank you.

THE CHAIR:

Thank you.

Will you remark further on the bill as amended by  
Senate "A"? Will you remark further?

Senator Musto.

SENATOR MUSTO:

Mr. President, now that the Senate Amen -- Amendment  
"A" passed, perhaps, we can put this one on consent as  
well? And keep my record going.

THE CHAIR:

No.

SENATOR MUSTO:

Oh, oh, excuse me. I'm told that would be a big  
mistake.

THE CHAIR:

Sounds like a no would be not a good thing.

Yes, sir.

SENATOR MUSTO:

cd  
SENATE

504  
May 5, 2010

Can we have a roll call, Mr. President?

Well, thank you for your advice.

THE CHAIR:

Would anyone else like to speak on the bill?

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

The machine will be opened.

THE CLERK:

Immediate roll call has been ordered in the Senate.

Will all Senators please return to the chamber.

Immediate roll call vote has been ordered in the Senate.

Will all Senators please return to the chamber.

THE CHAIR:

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

THE CLERK:

Motion's on passage of House Bill 5314 as amended by Senate Amendment Schedule "A."

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

THE CHAIR:

The bill, as amended, passes.

cd  
SENATE

505  
May 5, 2010

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Would move for immediate transmittal of that last  
item to the House of Representatives.

THE CHAIR:

Motion on the floor for immediate transmittal to the  
House. Seeing no objections, so ordered, sir.

Yes, thank you, Mr. President.

Mr. President, if you'd move to the next go item,  
calendar page 13, Calendar 508, House Bill 5236.

THE CHAIR:

Thank you, sir.

Mr. Clerk, please call that.

THE CLERK:

Calendar page 13, Calendar Number 508, File Number  
103 and 668, House Bill 5236, AN ACT CONCERNING

ADDITIONAL OFF-TRACK BETTING BRANCH FACILITIES IN NEW

LONDON, MANCHESTER AND WINDHAM as amended by House

Amendment Schedule "A," favorable report of the Committee  
on Public Safety.

THE CHAIR:

Senator Stillman.

Oop, I'm sorry. Is that -- Oh, Senator Daily.

cd  
SENATE

506  
May 5, 2010

SENATOR DAILY:

Thank you, Mr. President.

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

THE CHAIR:

Acting on acceptance and approval of the bill, sir, will you remark further?

SENATOR DAILY:

Yes, I will. Thank you.

Ours laws currently 18 OTB facilities 12 are named and this increases the number to 15.

THE CHAIR:

Thank you, ma'am.

Will you remark further on House Bill 5236 as amended by House "A"? Will you remark further?

Senator Daily.

SENATOR DAILY:

I'd ask for a roll call vote please.

THE CHAIR:

Mr. Clerk, please call for a roll call vote.

The machine will be opened.

THE CLERK:

Immediate roll call has been ordered in the Senate.

Will all Senators please return to the chamber.

cd  
SENATE

507  
May 5, 2010

Immediate roll call vote has been ordered in the Senate.

Will all Senators please return to the chamber.

THE CHAIR:

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

THE CLERK:

Motion's on passage of the House Bill 5236 in concurrence with the action of the House.

Total Number of Voting	35
Those voting Yea	24
Those voting Nay	11
Those absent and not voting	1

THE CHAIR:

The bill passes.

Senator Looney.

SENATOR LOONEY:

Tha -- thank you, Mr. President.

Mr. President, would now like to mark items appearing on Senate Agenda Number 5. Mr. President, if we might mark as go, the -- under business from the House, the Judiciary nominations appearing on Senate Agenda Number 5, that is, House Joint Resolutions number 106, 107, 108, 109, 110, 111, 112, 113, 114 and 115.

cd  
SENATE

508  
May 5, 2010

If we might mark each of those items go, Mr. President, and begin calling them in order.

THE CHAIR:

Senator, I believe you need to suspend the rules before you --

SENATOR LOONEY:

Yes. Yes, Mr. President, would move for -- for suspension to take up all of these items.

THE CHAIR:

There's a motion on the floor to suspend the rules, take up the items presented on Senate Agenda Number 5. Seeing no objections, so ordered.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

The Clerk might begin calling those items again marking them all go. That is House Joint Resolutions numbers 106, '7, '8, '9, '10, '11, '12, '13, '14 and '15.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calling from Senate Agenda Number 5, Judicial Nominations, House Joint Resolution Number 106,  
RESOLUTION CONFIRMING THE NOMINATION OF LAURA FLYNN

cd  
SENATE

509  
May 5, 2010

BALDINI, ESQUIRE, OF WEST HARTFORD TO BE A JUDGE OF THE  
SUPERIOR COURT, favorable report of the Committee on  
Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR MCDONALD:

Thank you, Mr. President.

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

THE CHAIR:

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

SENATOR MCDONALD:

Yes, Mr. President.

And before I begin I just wanted to thank all of the  
nominees for a very trying circumstance over the last  
several weeks but I want to particularly acknowledge that  
all of them conducted themselves in highly professional  
and appropriate ways and the brevity of my comments  
tonight in no way should reflect on the quality of the  
candidates. But given the hour, Mr. President, my  
comments on all of these nominees will be brief.

Mr. President, Attorney Baldini is a very --

cd  
SENATE

510  
May 5, 2010

THE CHAIR:

Senator McDonald, could you just hold on for a second?

I know there's a lot of business and stuff going on. If you can keep it to a whisper or take it outside, I'd appreciate it. We're trying to hear Senator McDonald.

Thank you.

Senator McDonald.

SENATOR MCDONALD:

Thank you, Mr. President.

Attorney Baldini is a very accomplished attorney who has -- achieved a great deal of professional acc -- success in her 39 years. Mr. President, we, on the Judiciary Committee, had a opportunity to question her at length and all of the members of the committee, in my estimation, had a full opportunity to see the merits of this nominee, and I commend her to the circle.

THE CHAIR:

Will you remark further on House Joint Resolution 106?

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.



cd  
SENATE

511  
May 5, 2010

I'd like to associate myself with the remarks of Senator McDonald and support the nomination of Laura Flynn Baldini. Indeed she is the youngest nominee that we have before us this evening. Lucky her at 39 going to the bench to serve an eight-year term. But certainly she's immersed herself in the practice of law has been involved in various court cases.

In reviewing her record, she has vast array of community experience and community involvement. Not that this is dispositive but three really wonderful little boys that were there at the hearing all day and all night.

And, certainly, she's someone that made a tremendous impression on Governor Rell. And to be very honest, when the Governor selected her and called, it seemed to be a great surprise to her so I almost wonder if Governor Rell decided to just lift somebody out and just say, I'm going to change your life; I'm going to see what you can do.

And I know that after going through that extensive hearing process and then an extensive debate process that Ms. Baldini will work as hard as she can humanly do to be the very best judge possible.

The last point is this while she doesn't have a wealth of criminal experience and she excels in the civil

cd.  
SENATE

512  
May 5, 2010

side, I do believe, from her testimony and everything that's taken place, that if she is sent over to the GAs to cut her teeth in the Judicial Branch that she will work as hard as anyone to be the very best jurist that we have.

And so with that Mr. President, I'm happy to support her confirmation.

THE CHAIR:

Thank you, sir.

Will you remark further?

Senator DeFronzo.

SENATOR DEFRONZO:

Thank you, Mr. President.

Mr. President, I would like to preface my questions to the good Senator by just saying that I -- I have no ill will towards any of the nominees that are before us this evening, but I do have some questions about how they got here and how we can justify spending the money that's required to pay these positions in the current fiscal situation we're in.

Earlier this year members of the Judiciary Committee articulated very well, I thought, the argument against hiring these judges. And I just -- have a folder of articles here from the Law Tribune and the Hartford

cd  
SENATE

513  
May 5, 2010

Courant and the Waterbury Republican and others and I just want to, through you, Mr. President, inquire to Senator McDonald, how the fiscal issues afflicting the Judicial Branch have been addressed, which now allow us to consider the appointment of nine judges at roughly 200 to 250,000 dollars a piece.

And, specifically, the article I'm looking -- well, one of the articles I'm looking at indicates that the Judicial Branch was anticipating an approximate \$8 million deficit and that there are 300 vacant marshal positions and other positions in the court system.

And I know Senator McDonald and Representative Lawlor have undertaken efforts to address the financial problems within the Judiciary and before we proceed to a vote tonight, I would like to know exactly what -- what shape the Judicial budget is in in your -- in the Senator's opinion so we might have a better opportunity to make an informed judgment on voting in favor or against these judges. Through you, Mr. President.

THE CHAIR:

Senator McDonald.

SENATOR MCDONALD:

Thank you, Mr. President.

cd  
SENATE

514  
May 5, 2010

Through you to Senator DeFronzo, well, Senator DeFronzo, you are exactly correct. The fiscal situation of the Judicial Branch has been a focus of the Judiciary Committee over the last several weeks and, in fact, we were honored to pass a bill that would ensure the independence of the Judicial Branch and its budget.

And I am pleased to say that earlier tonight we were able to incorporate an agreement that was achieved between the Executive Branch and the Judicial Branch relating to the financial operations of the branch and restoring the autonomy and the fiscal integrity of the branch. And through you, Mr. President to Senator DeFronzo, I -- I believe -- I don't have Senator Harp available at the moment -- but I believe that the money necessary to fund these positions has been incorporated in the budget that was adopted earlier by the Senate and that is currently being debated and, hopefully, voted upon soon in the House.

THE CHAIR:

Senator DeFronzo.

SENATOR DEFRONZO:

Thank you, Mr. President.

Just to pursue this just a bit further, I don't want to take a lot of time because I do think all these

cd  
SENATE

515  
May 5, 2010

individuals deserve a vote this evening. But -- just to -- to clarify that, have we had -- had sufficient funds been restored to bring back any of those additional -- any of those marshals positions that have been eliminated or funds to open the libraries that were anticipated to be closed? Through you, Mr. President.

THE CHAIR:

Senator McDonald:

SENATOR MCDONALD:

Thank you, Mr. President.

And through you, to Senator DeFronzo, let me just briefly say that I share Senator DeFronzo's concerns about marshals. In fact, many people in this building are sick of hearing me talk about the need for additional marshals in our Judicial Branch along with court interpreters and court monitors and a whole variety of other individuals.

I can tell Senator DeFronzo that there is money restored in the budget that would allow for the hiring of a judicial marshal class not representing that all of the marshals necessary for the full operation of the branch are going to be fully funded but we certainly have made substantial progress. And I want to commend Chief

cd  
SENATE

516  
May 5, 2010

Justice Rogers and Governor Rell for achieving that solution. Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DEFRONZO:

Thank you, Mr. President.

Thank you, Senator McDonald for those answers.

I just want to move on to another topic briefly.

The selection panel that -- that the Governor and legislative leaders appoint to -- to make the nominations -- or make the recommendations to the Governor who, in turn, makes the nominations. That process seems to be vested in some -- I don't know -- I -- I -- from my layperson position, it seems some -- some degree of secrecy. There's a -- there's a process involved there. No one seems to be able to articulate exactly how it works. I -- I heard when I listened to the Judiciary Committee members some frustration about that in the -- particularly, in -- when the discussion turned to the issue of diversity and how potential judges are selected. And -- I -- through you, Mr. President, would like to inquire is to is the Judiciary Committee contemplating any review of that procedure or any reform to that procedure that might bring some added transparency so

cd  
SENATE

517  
May 5, 2010

that the people of the State of Connecticut might understand better how judges are -- are selected in this state. Through you, Mr. President.

THE CHAIR:

Senator McDonald.

SENATOR MCDONALD:

Thank you, Mr. President.

Through you to Senator DeFronzo, well, we've also made significant strides in addressing that issue tonight as well.

As part of the budget that was recently adopted by this chamber, we have changed several of the reporting requirements of the Judicial Selection Commission so that we, in the legislature, have a much better idea of the number and demographics of the individuals who are applying for these positions, both, when they apply and after they are interviewed to determine how many are approved, how many are disapproved, what the racial and ethnic and religious composition of those individuals are, what their gender is. We've also added in additional requirements that we have a compilation of all the individuals who are approved so we have the racial, ethnic and religious dispersion, if you will, of the people who are approved and available for nomination to

cd  
SENATE

518  
May 5, 2010

the Superior Court by the Governor. And we will, in addition, have the benefit of knowing how long those individuals have been on the approved list.

It is true that the process is somewhat secretive not because anybody doesn't want the public to know but rather because oftentimes these nominees are putting their names forward for consideration only about 40 percent of whom are going to be approved by judicial selection. And to protect their professional lives and their reputations, we have kept that process a confidential process. Through you, Mr. President.

THE CHAIR:

Senator DeFronzo.

SENATOR DEFRONZO:

Thank you, Mr. President.

And I appreciate the work of the Judiciary Committee and the leadership of Senator McDonald in that area.

One other and final area before I sum up is many in this chamber and downstairs as well are disappointed by the lack of racial diversity in these nominations. And there's been some discussion as to how that issue may be addressed. And that in no way reflects on the ability and character of the individuals that are before us, but it is a matter of great concern to me not only in terms



cd  
SENATE

519  
May 5, 2010

of the racial composition but the geographic --  
dispersity of these -- diversity of these nominees as  
well.

I mean I was talking to Senator LeBeau the other  
day. He said the nominee from East Hartford is the first  
court nominee from his city in over 30 years. In my  
district, I don't think we've had a nominee in, oh, at  
least 12 or 15 years. And there -- I don't know if  
that's a factor or should be a factor but, certainly, in  
urban centers are not represented adequately in this --  
in this system. I think that's a problem also, as well  
as racial diversity. And I don't know if this is a -- is  
an issue that -- oh, I'm sure it's an issue that's being  
addressed but I just, through you, Mr. President, would  
like to -- to know if there are any understandings about  
future judges, future processes that might better ensure  
ethnic, racial diversity, geographic diversity in the  
selection of our judges. Through you, Mr. President.

THE CHAIR:

Senator McDonald.

SENATOR MCDONALD:

Thank you, Mr. President.

Through you to Senator DeFronzo, those issues are  
regular issues that we, on the Judiciary Committee, are

cd  
SENATE

520  
May 5, 2010

confronted with and concerned about. In particular, we have had numerous public hearings relating to the lack of racial diversity among individuals who are on the bench. It is a issue of ongoing concern. Nobody, in my opinion, is thrilled by the fact that this crop of nominees lacks any racial diversity and, in fact, is the reas -- is the reason why we are here at 20 after --

THE CHAIR:

If we don't take the tone down, I'm going to ask the sergeant at arms to clear the room except for all Senators. Next time that's what's going to happen so you have choice of taking your conversations outside or doing -- we're trying to get some business before midnight.

Senator McDonald, I'm sorry.

SENATOR MCDONALD:

Thank you, Mr. President.

So we are certainly concerned about the lack of racial diversity among these nominees. I do want to commend members of the Black and Latino Caucus, who have worked with all of the members of the Judiciary Committee. They have led the way in talking with the Governor and, though I was not a participant in those conversations, I have reason to believe that those conversations have been very productive and that the

cd  
SENATE

521  
May 5, 2010

Executive Branch is going to redouble its efforts in the very near future in trying to achieve greater diversity on our bench.

I am hopeful that before Governor Rell finishes her term, she will have an opportunity to forward, perhaps, more nominees and certainly, if that happens, at least one or more would be members of racial minority groups.

THE CHAIR:

Senator DeFronzo.

SENATOR DEFONZO:

Thank you, Mr. President.

Through you, Mr. President, I want to commend Senator McDonald for his leadership in this -- in this area. I have great confidence that under your leadership and Representative Lawlor that we will make better progress in these areas and I look forward to seeing more nominees with greater diversity both racially and geographically.

I want to thank the Senator for his answers and look forward to hearing the debate on the -- on the nominees.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

cd  
SENATE

522  
May 5, 2010

Will you remark further on House Joint Resolution  
106? Will you remark further on House Joint Resolution  
106?

Senator Gomes.

SENATOR GOMES:

Thank you, Mr. President.

I rise in order to speak about some of the antics or  
whatever you would call it that went on when we were  
selecting these judges. I have -- and I take exception  
with -- how the judi -- Judicial Selection Committee has  
determined that judges will be sent for -- to us to vote  
on to be placed on the bench.

I will be voting and I will be voting individually  
for each judge, and it -- my vote will reflect how I feel  
about the interviews we had to judge -- had to judge the  
judges.

But, overall, the system that we use to select  
judges, as far as we're concerned, with this lack of  
diversity concerning racial makeup is broken and needs to  
be repaired. We've spoken about this just about every  
time that they brought judges before us, and I think  
right now there is something, like 188 judges and about  
12 blacks and less Hispanics. I think there's about five  
Hispanics. For them to bring 10 judges before us and

cd  
SENATE

523  
May 5, 2010

eliminate one because they saw that he wasn't even fit to come before us, I think was an indictment of their system. There were other -- during that time there were other offers made to try to correct this situation to fulfill the tenth opening with someone of color, and I don't know how it met with other people but when it got down to us, it seemed like it was just a flat rejection.

This is not a new subject. It just shows that the system of selection of judges is not a fair one. And I hope that in the future that it gets repaired. Other than that I will be voting overall for each judge as they come up. And still remain very dissatisfied with the system.

Thank you.

THE CHAIR:

Will you remark further on House Joint Resolution 106? Will you remark further?

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

The machine will be opened.

THE CLERK:

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

cd  
SENATE

524  
May 5, 2010

THE CHAIR:

Have all Senators voted? Have all Senators voted?  
If all Senators have voted, the machine will be locked.  
The Clerk will call the tally.

THE CLERK:

The motion is on the adoption of House Joint  
Resolution Number 106.

Total Number of Voting	34
Those voting Yea	25
Those voting Nay	9
Those absent and not voting	2

THE CHAIR:

The resolution passes.

Senator McDonald.

I'm sorry, Mr. Clerk.

THE CLERK:

Calling from Senate Agenda Number 5, House Joint  
Resolution Number 107, RESOLUTION CONFIRMING THE  
NOMINATION OF JOHN L. CARBONNEAU, ESQUIRE, OF EAST LYME  
TO BE A JUDGE OF THE SUPERIOR COURT, favorable report of  
the Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR MCDONALD:

cd  
SENATE

525  
May 5, 2010

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

THE CHAIR:

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

SENATOR MCDONALD:

Yes, Mr. President.

Mr. President, this nominee is a graduate of the University of Connecticut and Catholic University of America's School of Law and we believe he would be a good judge.

THE CHAIR:

Thank you, sir.

Will you remark further on House Joint Resolution 107?

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

I stand in strong support of this posi -- of this particular nominee.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

cd  
SENATE

526  
May 5, 2010

Will you remark further on House Joint Resolution  
107? Will you remark further?

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

The machine will be opened.

THE CLERK:

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

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

THE CHAIR:

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's on adoption of House Joint Resolution  
Number 107.

Total Number of Voting	35
Those voting Yea	29
Those voting Nay	6
Those absent and not voting	1

THE CHAIR:

Resolution's adopted.

Mr. Clerk.



cd  
SENATE

527  
May 5, 2010

THE CLERK:

House Joint Resolution Number 108, RESOLUTION  
CONFIRMING THE NOMINATION OF SUSAN Q. COBB, ESQUIRE, OF  
WEST HARTFORD TO BE A JUDGE OF THE SUPERIOR COURT,  
favorable report of the Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR MCDONALD:

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

THE CHAIR:

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

SENATOR MCDONALD:

Attorney Cobb is a graduate of Catholic University  
and UConn Law School. She is an extraordinary attorney,  
and I believe, based on her experience as an assistant  
attorney general, she will be an extraordinary judge.

THE CHAIR:

Thank you, sir.

Will you remark further on House Joint Resolution  
108?

Senator Kissel.

cd  
SENATE

528  
May 5, 2010

SENATOR KISSEL:

Thank you very much, Mr. President.

I stand in strong support of this nominee. And, too, this nominee and many of the others that are coming up this evening, actually, the process that we've gone through with them and their background they actually would probably deserve a lot more debate but since this session will end in approximately one half hour I'm not going to belabor this point. I strongly stand in support of this nominee.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on this resolution? Will you remark further?

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

The machine will be opened.

THE CLERK:

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

THE CHAIR:

cd  
SENATE

529  
May 5, 2010

Have all Senators voted? If all Senators have voted, the machine will be locked. The Clerk will call the tally.

THE CLERK:

Motion's on adoption of House Joint Resolution  
Number 108.

Total Number of Voting	35
Those voting Yea	30
Those voting Nay	5
Those absent and not voting	1

THE CHAIR:

The resolution's adopted.

Mr. Clerk.

THE CLERK:

House Joint Resolution Number 109, RESOLUTION  
CONFIRMING THE NOMINATION OF SUSAN A. CONNORS, ESQUIRE,  
OF OLD LYME TO BE A JUDGE OF THE SUPERIOR COURT,  
favorable report of the Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR MCDONALD:

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

cd  
SENATE

530  
May 5, 2010

THE CHAIR:

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

SENATOR MCDONALD:

Mr. President, just briefly, Attorney Connors is a graduate of both the University of Connecticut and its Law School. I'm proud to na -- say that I was a classmate of hers and I think she would be a great judge, and I'd be happy to submit her name to the circle.

THE CHAIR:

Thank you, sir.

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

As I have stated about the previous nominees, I think this an extraordinarily excellent nominee, has gone through a very thorough public hearing process, and I stand in strong support.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on House Joint Resolution 109? Will you remark further?

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

cd  
SENATE

531  
May 5, 2010

The machine will be opened.

THE CLERK:

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

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

THE CHAIR:

I'd like to remind all the Senators we going to going through a couple of quick ones here so please stay in the chamber if you're going to not want to miss the reso -- a vote.

Have all Senators voted? If all Senators have voted, the machine will be locked. The Clerk will call the tally.

THE CLERK:

Motion's on adoption of House Joint Resolution  
Number 109.

Total Number of Voting	35
Those voting Yea	31
Those voting Nay	4
Those absent and not voting	1

THE CHAIR:

The resolution's adopted.

Mr. Clerk.

cd  
SENATE

532  
May 5, 2010

THE CLERK:

House Joint Resolution 110, RESOLUTION CONFIRMING  
THE NOMINATION OF JOHN A. DANAHER, III, ESQUIRE, OF WEST  
HARTFORD TO BE A JUDGE OF THE SUPERIOR COURT, favorable  
report of the Committee on Judiciary.

SENATOR MCDONALD:

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

THE CHAIR:

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

SENATOR MCDONALD:

Yes, Mr. President.

Mr. President, Attorney Danaher has a long and  
distinguished career in both the state and federal law  
enforcement ar -- arenas and we believe that based on his  
prior experience, we think he will serve admirably as a  
judge of the Superior Court.

Thank you, sir.

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

cd  
SENATE

533  
May 5, 2010

I could spend a half hour on the legal career of Judge -- Attorney Danaher. It's an extraordinarily excellent resume, just a really good gentleman. He's done a very good job in a difficult area as commissioner of Public Safety and with that I strongly recommend to the circle the support of Attorney Danaher to become a judge of the Superior Court.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on House Joint Resolution 110? Will you remark further?

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

The machine will be opened.

THE CLERK:

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

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

THE CHAIR:

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:

cd  
SENATE

534  
May 5, 2010

Motion is on adoption of House Joint Resolution  
Number 110.

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

THE CHAIR:

The resolution's adopted.

Mr. Clerk.

THE CLERK:

House Joint Resolution Number 111, RESOLUTION  
CONFIRMING THE NOMINATION OF JANE B. EMONS, ESQUIRE, OF  
WOODBRIDGE TO BE A JUDGE OF THE SUPERIOR COURT, favorable  
report of the Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR MCDONALD:

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

THE CHAIR:

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

SENATOR MCDONALD:



cd  
SENATE

535  
May 5, 2010

Yes, Mr. President.

Mr. President, Attorney Emons is a attorney --  
assistant attorney general for the State of Connecticut,  
and we believe that based on her experience there and her  
service to the state, she will be a great judge.

THE CHAIR:

Thank you, sir.

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

Extraordinarily well qualified candidate. I stand  
in strong support of her nomination to be judge of the  
Superior Court.

Thank you, sir.

THE CHAIR:

Will you remark further on House Joint Rejolu --  
Resolution 111? Will you remark further?

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

The machine will be opened.

THE CLERK:

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

cd  
SENATE

536  
May 5, 2010

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 adoption of House Joint Resolution  
Number 111.

Total Number of Voting	34
Those voting Yea	30
Those voting Nay	4
Those absent and not voting	2

THE CHAIR:

The resolution's adopted.

Mr. Clerk.

THE CHAIR:

Turning to page 2, Agenda Number 5, House Joint  
Resolution Number 112, RESOLUTION CONFIRMING THE  
NOMINATION OF ROBERT L. GENUARIO, ESQUIRE, OF NORWALK TO  
BE A JUDGE OF THE SUPERIOR COURT, favorable report of the  
Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR MCDONALD:

Thank you, Mr. President.

cd  
SENATE

537  
May 5, 2010

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

THE CHAIR:

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

SENATOR MCDONALD:

Just very briefly. All of us in the circle could talk endlessly about the qualities of this nominee, and I don't think he would be happy with that. He's a very humble man, a very distinguished gentleman, and I think he will be a great judge of the Superior Court. And I'm happy to have his name before the chamber.

THE CHAIR:

Thank you, sir.

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

I stand in strong support of Attorney Robert Genuario. I could speak for over an hour just regarding the times that we've shared in the caucus room for the 14 years I had the pleasure of serving with him in this chamber. And he's also done a wonderful job as secretary of the Office of Policy and Management. I commend to

cd  
SENATE

538  
May 5, 2010

each and every one of you, you couldn't find a fairer jurist to go to be a judge of the Superior Court.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on House Joint Resolution 112? Will you remark further?

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

The machine will be opened.

THE CLERK:

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

THE CHAIR:

Senator Coleman?

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:

Immediate roll call has -- correction.

Motion is on adoption of House Joint Resolution Number 112.

Total Number of Voting 35

cd  
SENATE

539  
May 5, 2010

Those voting Yea	31
Those voting Nay	4
Those absent and not voting	1

THE CHAIR:

The resolution's adopted.

Mr. Clerk.

THE CLERK:

House Joint Resolution Number 1 --

THE CHAIR:

Excuse me.

Senator Fasano, could you -- thank you.

Mr. Clerk.

THE CLERK:

House Joint Resolution Number 113, RESOLUTION

CONFIRMING THE NOMINATION OF KATHLEEN MCNAMARA, ESQUIRE,  
OF EAST HARTFORD TO BE A JUDGE OF THE SUPERIOR COURT,  
favorable report of the Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR MCDONALD:

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

THE CHAIR:

cd  
SENATE

540  
May 5, 2010

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

SENATOR MCDONALD:

Mr. President, this nominee is qualified both in  
terms of experience and also geographic dispersion.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

I stand in strong support of Attorney McNamara. She  
is a State's Attorney State's Attorney. She does and  
extraordinarily job in the New Britain Superior Court and  
she does -- extraordinarily job, excellent job as State's  
Attorney.

Thank you.

THE CHAIR:

Remark further on House Joint Resolution Number 113?

(Inaudible.)

The machine's open.

THE CLERK:

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

cd  
SENATE

541  
May 5, 2010

THE CHAIR:

Have all Senators voted?

Senator Daily?

If all Senators have voted, please check your vote.

The machine will be locked. The Clerk will call the tally.

THE CLERK:

Motion is on adoption of House Joint Resolution Number 113.

Total Number of Voting	35
Those voting Yea	31
Those voting Nay	4
Those absent and not voting	1

THE CHAIR:

The resolution's adopted.

Mr. Clerk.

THE CLERK:

House Joint Resolution Number 114, RESOLUTION  
CONFIRMING THE NOMINATION OF DAVID M. SHERIDAN, ESQUIRE,  
OF MANCHESTER TO BE A JUDGE OF THE SUPERIOR COURT,  
favorable report of the Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR MCDONALD:

cd  
SENATE

542  
May 5, 2010

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

THE CHAIR:

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

SENATOR MCDONALD:

Mr. President, this attorney is highly qualified to be a judge.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

If my recollection of the nominees is correct this is the last nominee to come before us this evening.

Attorney Sheridan is an outstanding candidate from the great town of Manchester, Connecticut, and he will be a wonderful addition to our bench as a Superior Court judge. And with that I believe that I am supporting the last nominee to come before us this evening.

And that is the fastest amount of time that we've had to go through judges.

Senator McDonald is saying, no, we have at least one more.



cd  
SENATE

543  
May 5, 2010

Thank you, Mr. President.

THE CHAIR:

Will you remark further on House Joint Resolution  
114? Will you remark further on House Joint Resolution  
114?

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

The machine will be opened.

THE CLERK:

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

THE CHAIR:

Have all Senators voted? Have all Senators voted?

Let's pay attention, folks. We're moving fast here.

If all Senators have voted, please check your vote.

Senator Boucher? Senator Boucher?

Would you please check your vote. The machine will  
be locked. The Clerk will call the tally.

THE CLERK:

Motion is on adoption of House Joint Resolution  
Number 114.

Total Number of Voting

35

cd  
SENATE

544  
May 5, 2010

Those voting Yea	31
Those voting Nay	4
Those absent and not voting	1

THE CHAIR:

The resolution's adopted.

Mr. Clerk.

THE CLERK:

House Joint Resolution Number 115, RESOLUTION  
CONFIRMING THE NOMINATION OF CLIFTON E. THOMPSON,  
ESQUIRE, OF MANCHESTER TO BE A WORKERS' COMPENSATION  
COMMISSIONER, favorable report of the Committee on  
Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR MCDONALD:

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

THE CHAIR:

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

SENATOR MCDONALD:

We believe this candidate will be a good Workers'  
Compensation commissioner.

cd  
SENATE

545  
May 5, 2010

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much.

I was correct that Attorney Sheridan was the last judge to have come before us this evening, and Mr. Thompson will be an excellent candidate to serve as a Workers' Compensation commissioner.

And I do believe those are the -- that is the last nominee that we have to run through before midnight.

Thank you very much, Mr. President.

THE CHAIR:

Thank you, sir.

Would you like -- will you remark further on House Joint Resolution Number 115? Will you remark further on 115.

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

The machine will be opened.

THE CLERK:

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

THE CHAIR:

cd  
SENATE

546  
May 5, 2010

Have all Senators voted?

If all Senators have voted, the machine will be locked. The Clerk will call the tally.

THE CLERK:

Motion is on adoption House Joint Resolution Number 115.

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

THE CHAIR:

The resolution is adopted.

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

If we might stand at ease for just a moment --

THE CHAIR:

The Senate will stand at ease.

SENATOR LOONEY:

-- before I begin to call the consent calendar.

THE CHAIR:

Thank you.

(Chamber at ease.)

SENATOR LOONEY:

cd  
SENATE

547  
May 5, 2010

Mr. President.

THE CHAIR:

Yes, Senator Looney.

SENATOR LOONEY:

Yes, Mr. President, to begin to mark items for the -  
- first of all, if -- I believe the Clerk is now in  
possession of Senate Agenda Number 8.

THE CLERK:

Mr. President, Clerk is in possession of Senate  
Agenda Number 8, dated Wednesday, May 5, 2010. Copies  
have been distributed.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

I move all items on Senate Agenda Number 8, dated  
Wednesday, May 5, 2010, to be acted upon as indicated and  
the Agenda be incorporated by reference in the Senate  
journal and the Senate transcript.

THE CHAIR:

There's a motion on the floor to move all items on  
Senate Agenda 8. Seeing no objections, so ordered, sir.

SENATOR LOONEY:

Yes, thank you, Mr. President.

cd  
SENATE

548  
May 5, 2010

Mr. President, would move all items on Senate Agenda Number 8 to the calendar.

THE CHAIR:

Motion to move all items on Senate Agenda 8 to the calendar. Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Mr. President.

Would move to take up three items on Senate Agenda Number 8 for purposes of moving them to the consent calendar.

THE CHAIR:

Please proceed, sir.

SENATOR LOONEY:

Yes, thank you, Mr. --

THE CLERK:

He has to suspend the rules..

THE CHAIR:

Senator Looney, I believe you have to suspend the rules first, though.

THE CLERK:

On the first two -- only on the first two.

SENATOR LOONEY:

Yes, move for suspension for purposes of taking up these items, Mr. President.

cd  
SENATE

549  
May 5, 2010

THE CHAIR:

Motion on the floor to suspend rules to take up items. Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, first, under House Bills Favorably Reported on Senate Agenda Number 8, first, Substitute House Bill 5398.

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

THE CHAIR:

Motion to place the item on consent. Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Mr. President.

And next is Substitute Senate Bill Number 175 on Senate Agenda Number 8, move to place it on the consent calendar.

THE CHAIR:

Motion to place item on consent. Seeing no objection, so ordered.

SENATOR LOONEY:

Yes, thank you, Mr. President.

cd  
SENATE

550  
May 5, 2010

Mr. President, also, Substitute Senate Bill Number 302, move to place the item on the consent calendar.

THE CHAIR:

Motion on the floor to place this item on consent.

Seeing no objection, so ordered.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Moving back, Mr. President, to -- Senate Agenda Number 4, previously adopted, move for suspension to take up an item on Senate Agenda Number 4 for purposes of placing it on the consent calendar.

THE CHAIR:

Without objection, sir?

Please proceed.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, under -- on Senate Agenda Number 4 under Disagreeing Actions, Substitute Senate Bill Number 201. I move to place this item on the consent calendar.

THE CHAIR:

Motion on the floor to place item on the consent calendar. Without objection, so ordered.

SENATOR LOONEY:

Yes, thank you, Mr. President.



cd  
SENATE

551  
May 5, 2010

Mr. President, on Senate Agenda Number 6, move to --  
for suspension for purposes of taking up an item place it  
on the consent calendar.

THE CHAIR:

Motion on the floor for suspension of the rules.

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Under business from the House, House Bills Favorably  
Reported, move to place Substitute House Bill Number 5482  
on the consent calendar from Senate Agenda Number 6.

THE CHAIR:

Motion to place item on the consent calendar.

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Now moving to the calendar for items to place on the  
consent calendar.

Mr. President, first, calendar page 5, Calendar 295,  
House Bill 5114, move to place the item on the consent  
calendar.

THE CHAIR:

Motion on the floor to place this item on consent.

Seeing no objection, so ordered, sir.

cd  
SENATE

552  
May 5, 2010

SENATOR LOONEY:

Yes, Mr. President, then calendar page 5, Calendar 315, House Bill 5264, move to place the item on the consent calendar.

THE CHAIR:

Motion on the floor to place this item on consent.

Seeing no objection, so ordered.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Calendar page 6, Calendar 378, House Bill 5197 --

THE CHAIR:

Senator Looney, could you please -- could you please repeat your last consent item? I believe it was Calendar 315 --

SENATOR LOONEY:

Yes.

THE CHAIR:

House Bill Number 5264.

SENATOR LOONEY:

Yes, Mr. President. Calendar page 5, Calendar 315, House Bill 5264, move to place it on the consent calendar.

THE CHAIR:

Without objection, so ordered.

cd  
SENATE

553  
May 5, 2010

SENATOR LOONEY:

Thank you, Mr. President.

Then calendar page 6, Calendar 378, House Bill 5197,  
move to place on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Moving to calendar page 8, Calendar 440, House Bill  
5113, move to place the item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 8, Calendar 441, House Bill 5109, move  
to place on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Continuing calendar page 9, Calendar 444, House Bill  
5500, move to place the item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

cd  
SENATE

554  
May 5, 2010

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 9, Calendar 445, House Bill 5202, move  
to place on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 9, Calendar 447, House Bill 5392, move  
to place on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar -- calendar page 9, Calendar 450, House  
Bill 5529, move to place the item on the consent  
calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar 451, House Bill 5535, move to place the  
item on the consent calendar.

THE CHAIR:

cd  
SENATE

555  
May 5, 2010

Senator -- Senator Looney, I'm sorry. What was that last one?

SENATOR LOONEY:

Calendar 451, Mr. President?

THE CHAIR:

What page was that, sir?

SENATOR LOONEY:

Calendar page 9.

THE CHAIR:

451?

SENATOR LOONEY:

Calendar 451?

THE CHAIR:

Sorry, sir. We do not have a 451 on page 9. We have a 458.

SENATOR LOONEY:

The bill was House Bill 5535, Mr. President?

THE CHAIR:

No, sir.

SENATOR LOONEY:

Might stand at ease for just a moment?

THE CHAIR:

The Senate will stand at ease.

(Chamber at ease.)

cd  
SENATE

556  
May 5, 2010

SENATOR LOONEY:

We'll pass over that one, Mr. President?

Continuing calendar page 9, this is calendar --

Calendar 444, House Bill 5500.

THE CHAIR:

We already have that on the consent, sir.

SENATOR LOONEY:

Okay. Move then to calendar page 10, Mr. President,  
Calendar 461, House Bill 5207, move to place the item on  
the consent calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Continuing calendar page 10, Calendar 482, House  
Bill 5244, move to place the item on the consent  
calendar.

THE CHAIR:

Senator Looney, there's no 482 on page 10, sir.

SENATOR LOONEY:

483, Mr. President.

THE CHAIR:

Very good, sir.

483, House Bill 5244 on 10?

cd  
SENATE

557  
May 5, 2010

SENATOR LOONEY:

Yes, Mr. President, calendar page 10, Calendar 483,  
House Bill 5244, move to place on the consent calendar.

THE CHAIR:

Motion is to place this item on consent. Seeing no

Recess, sir.

That item is on consent without objection.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Moving to calendar page 11, Calendar 484, House Bill  
5383, move to place item on the consent calendar.

THE CHAIR:

Motion on the floor to place this item on consent.

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 11, Calendar 487, House Bill 5220,  
move to place the item on the consent calendar.

THE CHAIR:

Motion on the floor to place item on consent.

Seeing no objection, so ordered.

SENATOR LOONEY:

Yes, thank you, Mr. President.

cd  
SENATE

558  
May 5, 2010

Calendar page 11, Calendar 488, House Bill 5297,  
move to place the item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 11, Calendar 490, House Bill 5425,  
move to place the item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 12, Calendar 496, House Bill 5497,  
move to place the item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 13, Calendar 509, House Bill 5126,  
move to place the item on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.



cd  
SENATE

559  
May 5, 2010

Calendar page 14, Calendar 511, House Bill 5527,  
move to place the item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Continuing calendar page 14, Calendar 516, House  
Bill 5393, move to place the item on the consent  
calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 15, Calendar 520 --

THE CHAIR:

Senator Looney, one second please.

SENATOR LOONEY:

Yes, Mr. President.

THE CHAIR:

Please proceed, Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Calendar page 15, Calendar 520, House Bill 5336,  
move to place the item on the consent calendar.

cd  
SENATE

560  
May 5, 2010

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 15, Calendar 521, House Bill 5424,  
move to place on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 15, Calendar 523, House Bill 5223,  
move to place on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 16, Calendar 531, House Bill 5004,  
move to place on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 17, Calendar 533, House Bill 5436,  
move to place on the consent calendar.

cd  
SENATE

561  
May 5, 2010

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 17, Calendar 540, House Bill 5494,  
move to place on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 18, Calendar 543, House Bill 5399,  
move to place on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 18, Calendar 544, House Bill 5434,  
move to place on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 18, Calendar 547, House Bill 5196,  
move to place on the consent calendar.

cd  
SENATE

562  
May 5, 2010

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 18, Calendar 548, House Bill 5533,  
move to place on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 18, Calendar 549, House Bill 5387,  
move to place on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 19, Calendar 522, House Bill 5163,  
move to place on the consent calendar.

THE CHAIR:

Excuse me. Senator Looney, could you repeat that  
one please?

SENATOR LOONEY:

Oh, yes, Mr. President. It's calendar page 19, I  
believe the Calendar may be 552.

cd  
SENATE

563  
May 5, 2010

THE CHAIR:

Yes, sir.

SENATOR LOONEY:

552 -- Calendar 552, House Bill 5163, move to place  
on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 19, Calendar 550, House Bill 5471,  
move to place on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 19, Calendar 551, House Bill 5413,  
move to place on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 19 -- we reached this I believe  
already -- 552, House Bill 5163 previously placed on  
consent.

cd  
SENATE

564  
May 5, 2010

Next, Mr. President, calendar page 19, Calendar 553,  
House Bill 5159, move to place the item on the consent  
calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 19, Calendar 554, House Bill 5164,  
move to place on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 20, Calendar 556, House Bill 5498,  
move to place on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 20, Calendar 557, House Bill 5270,  
move to place on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

cd  
SENATE

565  
May 5, 2010

Thank you, Mr. President.

Calendar page 21, Calendar 559, House Bill 5407,  
move to place on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 21, Calendar 562, House Bill 5253,  
move to place on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 21, Calendar 563, House Bill 5340,  
move to place on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 22, Calendar 567, House Bill 5516,  
move to place on the consent calendar.

THE CHAIR:

Single-star item? Without -- without objection, so  
ordered.

cd  
SENATE

566  
May 5, 2010

SENATOR LOONEY:

Yes, Mr. President, we move to place a single-starred item -- move for suspension, place a single-starred item on the consent calendar.

THE CHAIR:

Please proceed.

SENATOR LOONEY:

Thank you, Mr. President.

Moving to calendar page 30, Calendar 271, Senate Bill 428, move to place the item on the consent calendar.

THE CHAIR:

I'm sorry, sir. What page was that, sir?

SENATOR LOONEY:

Calendar page 30?

THE CHAIR:

Yep. And Calendar?

SENATOR LOONEY:

Calendar 271, Senate Bill 428?

THE CHAIR:

Senator Looney, it's my understanding that bill has been passed already.

SENATOR LOONEY:

Okay. Thank you, Mr. President.

THE CHAIR:



cd  
SENATE

567  
May 5, 2010

We are very efficient up here in the Senate.

SENATOR LOONEY:

Thank you.

Mr. President, moving to calendar page 32, Calendar 373, House Bill 5371, move to place the item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Calendar page 37, Calendar 529, House Bill 5398, move to place the item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, we have a -- if we might stand at ease for just a --

THE CHAIR:

Senator Looney, could you please repeat your last consent item?

SENATOR LOONEY:

That's consent calendar page 37, Calendar 529, House Bill 5398, Mr. President.

cd  
SENATE

568  
May 5, 2010

THE CHAIR:

That's a House -- sir, Senator Looney, that's a House Joint Resolution 36 on 529.

SENATOR LOONEY:

All right.

Mr. President, then, if we might withdraw that?

THE CHAIR:

Okay. That is withdrawn.

SENATOR LOONEY:

Mr. President, moving to an item on Agenda, I believe it's Agenda Number 3, Calendar 569, House Bill 5208.

THE CHAIR:

Yes, sir. Like to place that on consent?

SENATOR LOONEY:

Yes, Mr. President, would you place that on the consent calendar?

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Calendar page 16, Mr. President -- returning to calendar page 16, Calendar 525, House Bill 5255, move to place that item on the consent calendar.

THE CHAIR:

cd  
SENATE

569  
May 5, 2010

Seeing no objection, so ordered.

SENATOR LOONEY:

Yes, thank you, Mr. President.

And, Mr. President, calendar page 14, Calendar 514,  
House Bill 5426, move to place the item on the consent  
calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Yes, Mr. President, at this time would call the  
consent calendar.

THE CHAIR:

Mr. Clerk, please call for the consent calendar.

THE CLERK:

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

Mr. President, the items on the Consent Calendar  
Number 2:

Calling from agendas first: Agenda 3, Substitute  
for House Bill 5208, Substitute for House Bill 5490;

Senate Agenda Number 6, House Bill 5482.

cd  
SENATE

570  
May 5, 2010

Calling from Agenda Number 4, Substitute for Senate Bill 201.

Senate Agenda Number 8, Substitute for House Bill 5398, Substitute for House -- Senate Bill 175, Substitute for Senate Bill 302.

Returning to the calendar -- beginning on calendar page 5, Calendar Number 315, House Bill 5264.

Calendar page 6, Calendar 378, Substitute for or -- correction -- House Bill 5197.

Calendar page 8, Calendar -- correction, returning back to page 5, Calendar 295, Substitute for House Bill 5114 -- correction, not Calendar 295, it's Calendar 294, House Bill 5391.

Returning to calendar page 6, Calendar Number 378, House Bill 5197.

Calendar page 8, Calendar Number 440, Substitute for House Bill 5113. Calendar page 441 -- Calendar 441, Substitute for House Bill 5109.

Calendar page 9, Calendar 444, House Bill 5500.  
Calendar 5 -- 41 --

Calendar page 9, Calendar 444, House Bill 5500;  
Calendar 4555, House Bill 5202; Calendar 445, House Bill 5392; Calendar 450, House Bill 5529.

cd  
SENATE

571  
May 5, 2010

Calendar page 10, Calendar 461, House Bill 5207;  
Calendar 483, House Bill 5244.

Calendar 484, on page 11, House Bill 5383; Calendar  
487, House Bill 5220; Calendar 488, House Bill 5297;  
Calendar 490, 5425 -- House; Calendar 496, House Bill  
5497; Calendar 509, House Bill 5126.

Calendar page 14, Calendar 511, House Bill 5527;  
Calendar 514, House Bill 5426; Calendar 516, House Bill  
5393.

Calendar page 15, Calendar 520, House Bill 5336;  
Calendar 521, House Bill 5424; Calendar 523, House Bill  
5223; Calendar 525, House Bill 5255.

Calendar page 16, Calendar 531, House Bill 5004.

Calendar page 17, Calendar 533, House Bill 5436;  
Calendar 540, House Bill 5494; Calendar 543, House Bill  
5399.

Calendar page 18, Calendar 544, House Bill 5434;  
Calendar 547, House Bill 5196; Calendar 548, House Bill  
5533; Calendar 549, House Bill 5387; Calendar 550, House  
Bill 5471; Calendar 551, House Bill 5413; Calendar 552,  
House Bill 5163; Calendar 553, House Bill 5159.

Calendar page 19, Calendar 554, House Bill 5164.

cd  
SENATE

572  
May 5, 2010

Calendar page 20, Calendar 556, House Bill 5498;  
Calendar 557, House Bill 5270; 559, House Bill 5407; 562,  
House Bill 5253; and House Bill -- Calendar 563, House  
Bill 5340; Calendar 567, House Bill 5371; and Calendar  
573, House Bill 5371.

Mr. President, I believe that completes the items

THE CHAIR:

Mr. Clerk, could you please give me on Calendar 567,  
do you have 5516, sir?

THE CLERK:

What -- what calendar?

THE CHAIR:

567 on page 22.

THE CLERK:

It's 5516.

THE CHAIR:

Yes, sir. Okay.

Machine's open.

THE CLERK:

An immediate roll call vote 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.

cd  
SENATE

573  
May 5, 2010

THE CHAIR:

Have all Senators voted? Please check your vote. The machine will be locked. The Clerk will call the tally.

THE CLERK:

Motion is on adoption of Consent  
Calendar Number 2.

Total number voting	35
Necessary for Adoption	18
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

THE CHAIR:

Consent Calendar Number 2 passes.

Senator Looney.

SENATOR LOONEY:

Yes, Mr. President.

Mr. President -- Mr. President, before moving to adjourn, I would like to ensure the entire chamber will wish Laura Stefon, Senator McDonald's aide, my former intern, a happy birthday.

And with that -- and with that, Mr. President, I would move the Senate stand adjourn

cd  
SENATE

574  
May 5, 2010

sine die.

THE CHAIR:

The Senate will stand adjourn sine die.

On the motion of Senator Looney of the 11th,  
the Senate at 12:00 a.m. adjourned Sine Die.