

Legislative History for Connecticut Act

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1988

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1043-1428

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House of Representatives

Wednesday, March 9, 1988

HUMAN SERVICES. Substitute S.B. No. 212 (COMM)
AN ACT CONCERNING THE PURCHASE OF SERVICES PROGRAM AND
THE REGULATING OF FAMILY DAY CARE HOMES.

The bill was then referred to the Committee on
Appropriations.

ENERGY AND PUBLIC UTILITIES. Substitute for S.B.
No. 222 (COMM) AN ACT CONCERNING THE NAUGATUCK VALLEY
REGIONAL WATER AUTHORITY.

The bill was then referred to the Committee on
Government Administration and Elections.

TRANSPORTATION. S.B. No. 329 (COMM) AN ACT
REQUIRING THE REGISTRATION OF CONNECTICUT VEHICLES
OPERATED BY MOTOR CARRIERS FOR PURPOSES OF THE MOTOR
CARRIER ROAD TAX.

The bill was then referred to the Committee on
Finance, Revenue and Bonding.

EDUCATION. Substitute for S.B. No. 337 (COMM) AN
ACT PROHIBITING HAZING.

The bill was then referred to the Committee on
Judiciary.

EDUCATION. Substitute for S.B. No. 340 (COMM) AN
ACT CONCERNING CHILD ABUSE IN SCHOOLS.

The bill was then referred to the Committee on
Judiciary.

GOVERNMENT ADMINISTRATION AND ELECTIONS. S.B. No.
399 (COMM) AN ACT CONCERNING VACANCIES ON THE METRO
NORTH NEW HAVEN RAIL COMMUTER COUNCIL.

The bill was then referred to the Committee on
Transportation.

TRANSPORTATION. S.B. No. 433 (COMM) AN ACT
CONCERNING THE ISSUANCE OF IDENTITY CARDS TO PERSONS
FIFTEEN YEARS OF AGE.

The bill was then referred to the Committee on
Appropriations.

CLERK:

No further business, Mr. Speaker.

SPEAKER STOLBERG:

Representative Frankel.

REP. FRANKEL: (121st)

There being no further business, Mr. Speaker, as
indicated, it is our intention to have a Regular

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House of Representatives

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Representative Balducci, for what purpose do you rise? Mr. Speaker, this amendment has just come down and we would like to at least pass it temporarily until we have a chance to look at it.

SPEAKER STOLBERG:

The motion is to pass temporarily. Is there objection? Is there objection? Seeing no objection, the item is passed temporarily.

The Clerk please continue.

CLERK:

Calendar 500, Page 12, Substitute for Senate Bill 337, AN ACT PROHIBITING HAZING, as amended by Senate Amendment Schedule "A". Favorable Report of the Committee on Judiciary.

SPEAKER STOLBERG:

Representative Naomi Cohen.

REP. COHEN: (15th)

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

SPEAKER STOLBERG:

Will you remark?

REP. COHEN: (15th)

Yes, thank you. The Senate offered an amendment bearing LCO 3360, previously designated Senate

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Amendment Schedule "A". May I ask that the amendment be called and that I be allowed to summarize.

SPEAKER STOLBERG:

The Clerk has an amendment, LCO 3360, Senate Amendment Schedule "A". Will the Clerk please call.

CLERK:

LCO 3360, designated Senate Amendment Schedule "A"
offered by Senator Avallone, et al.

SPEAKER STOLBERG:

Is there objection to summarization? Seeing none, Representative Cohen.

REP. COHEN: (15th)

Thank you, Mr. Speaker. Mr. Speaker, in effect, this -- I urge adoption.

SPEAKER STOLBERG:

Have you summarized, Madam?

REP. COHEN: (15th)

Oh, I'm sorry. Sir, in effect, this amendment becomes the file copy. It makes changes to the file copy in terms of what definitions are included in the file and I urge adoption.

SPEAKER STOLBERG:

Will you remark further on Senate Amendment Schedule "A"? If not, all those in favor of the amendment please indicate by saying aye.

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REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

All those to the contrary nay.

REPRESENTATIVES:

No.

SPEAKER STOLBERG:

The amendment is adopted and ruled technical. Will you remark further on the bill?

REP. COHEN: (15th)

Yes, thank you, Mr. Speaker. Mr. Speaker, for the purposes of another amendment, I would like, at this time to yield to my friendly Ranking Member, Representative Ward.

SPEAKER STOLBERG:

Do you accept the yield? Representative Ward.

REP. WARD: (86th)

Yes, I accept the yield, Mr. Speaker, thank you. Mr. Speaker, the Clerk has an amendment, LCO No. 4322, if the Clerk would call and I be permitted to summarize.

SPEAKER STOLBERG:

The Clerk has an amendment, LCO 4322, House Amendment Schedule "A". Would the Clerk please call.

CLERK:

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LCO 4322. House Amendment Schedule "A" offered by Representative Ward, et al.

SPEAKER STOLBERG:

Is there objection to summarization? Seeing none, Representative Ward.

REP. WARD: (86th)

Thank you, Mr. Speaker. Mr. Speaker, Members of the Chamber, what this amendment does is clarify the definition of student organization to make it clear that it's an organization organized and/or operating at an institution of higher education. In addition to that, it makes it clear that the penalty provision against a student organization is that they can be put off campus or decertified, if you will, for a period of at least one year and I move adoption of the amendment.

SPEAKER STOLBERG:

Will you remark further on the amendment? Will you remark further? Representative Ward.

REP. WARD: (86th)

Very briefly, Mr. Speaker. The distinguished Chairlady indicated it's an amendment that really has been agreed to by all sides of those to support the bill to clear up the language in the bill to make it clear that, and in fact, it's supported by some of the institutions that would be effected by it to make it

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clear that they can regulate or punish all student organizations that would violate the provisions of this act, and also, that if they felt they wanted to put them off campus for more than a year, they'd be allowed to do that and I hope that we can adopt this amendment and move to discuss the full bill.

SPEAKER STOLBERG:

Will you remark further? Representative Emmons.

REP. EMMONS: (101st)

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

SPEAKER STOLBERG:

Representative Emmons.

REP. EMMONS: (101st)

Through you, a question to Representative Ward.

SPEAKER STOLBERG:

Please frame your question.

REP. EMMONS: (101st)

Representative Ward, reading your amendment it appears to me what you have done is limit the student organization and the prohibiting of hazing to student organizations and institutions of higher education, which I can understand for the fine, but my question is some of the hazing that I have read about and where there have been deaths have been in high school

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fraternities and in some semi-school sponsored groups and this was not necessarily in Connecticut, but do you know that there are no hazing activities going on in public or private secondary institutions?

SPEAKER STOLBERG:

Representative Ward.

REP. WARD: (86th)

Thank you, Mr. Speaker. Representative Emmons, neither of the amendment we're discussing now, nor the file copy addresses itself to secondary schools or schools other than institutes of higher education. The bill that had a public hearing initially had both in it. Frankly, from discussion at the hearing, it was felt there might be problems with local Boards of Education thinking we were interfering and that we simply weren't ready to move forward this year on a bill that affected both secondary schools and institutes of higher education.

Those that really sought the bill were, in fact, members of fraternities and institutes of higher education that felt it was necessary and where the deaths have occurred most recently have been in institutions of higher education, so I think in another year we may look at the problem you suggested, but it simply isn't before us tonight.

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REP. EMMONS: (101st)

Thank you.

SPEAKER STOLBERG:

Will you remark further on House Amendment Schedule "A"? If not, all those in favor of the amendment please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

All those to the contrary nay.

REPRESENTATIVES:

No.

SPEAKER STOLBERG:

The amendment is adopted and ruled technical.

* * * * *

House Amendment Schedule "A".

Delete subsection (b) of section 1 in its entirety and substitute the following in lieu thereof:

"(b) "Student organization" means a fraternity, sorority or any other organization organized or operating at an institution of higher education."

Delete section 3 in its entirety and substitute the following in lieu thereof:

"Sec. 3. (NEW) A student organization which violates section 2 of this act (1) shall be subject to a fine of not more than one thousand five hundred dollars and (2) shall forfeit for a period of not less than one year all of the rights and privileges of being an organization organized or operating at an institution of higher education."

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SPEAKER STOLBERG:

Will you remark on the bill? If not, will members please be seated. Representative Jaekle.

REP. JAEKLE: (122nd)

Thank you, Mr. Speaker, really for intent since this is a new law and the civil penalty is rather substantial, so some people may be subjected to this. I would like to ask a couple of questions, through you, to the proponent of the bill please.

SPEAKER STOLBERG:

Please frame your first question, Sir.

REP. JAEKLE: (122nd)

Thank you. I'm really referring to Senate Amendment Schedule "A", which was a "strike everything after the enacting clause" and thus became the file and I realize House Amendment Schedule "A" has amended it slightly, but the term "hazing" is defined as that action which will endanger the health or safety of a person, but on line 22 of the amendment it said the term "shall include, but not be limited to five criteria." What I really want to know is, let's say on Number 3, which has to do with confinement of a person to an unreasonably small, unventilated, unsanitary or lighted area, I just want to know whether if -- let's say a college fraternity said to somebody seeking

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admission that, I don't know, you had to spend a half an hour in a dark closet, let's say.

Is that, in and of itself, hazing or doing any of these things like that one, must that conduct also intentionally endanger the health or safety of a person? Really, the definition of "hazing" is it both the broad intentionally endangering health or safety and doing any of these specific things is, in and of itself, hazing, such as spending a half hour in a closet? Would that be hazing, in and of itself, through you, Mr. Speaker, to the proponent.

SPEAKER STOLBERG:

Representative Cohen. Representative Cohen just a moment. Could I please ask Representatives Lavine, Mushinsky and Keeley, there is a Mason's Provision that the line of view between the person recognized and the dais should be clear and I appreciate it very much. Thank you. Representative Cohen.

REP. COHEN: (15th)

Through you, Mr. Speaker, I'm not 100% sure, Representative Jaekle, but I believe that being in an unventilated area does refer to a condition that might impinge on the health or safety of the person. I would say to you that with all these things as decision are made and as fines are levied that I believe in some

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instances that it would be a case-by-case basis. I would also say to you, Sir, that though you mention that this is a new law, it is not a new concept that exists in 24 states already.

SPEAKER STOLBERG:

Representative Jaekle.

REP. JAEKLE: (122nd)

Then, through you, to the proponent, I assume violation of anyone of these five specific prohibitions is, in and of itself, hazing and thus is prohibited regardless of whether that activity also endangers the health and safety of the person, through you, Mr. Speaker, to the proponent?

SPEAKER STOLBERG:

Representative Cohen.

REP. COHEN: (15th)

Through you, Mr. Speaker, I think so.

REP. JAEKLE: (122nd)

And, through you, to the proponent, I appreciate that the monetary fine could vary and thus something minor like being locked in a dark closet for a half an hour might be a \$10 fine, but with House Amendment Schedule "A", isn't it basically a requirement that the student organization will, well, to read it exactly, "shall forfeit for a period of not less than one year,

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all of their rights and privileges of an organization, through you, Mr. Speaker, isn't that really like a mandatory penalty while the fine is capped at \$1,500? Isn't at least a year one suspension of their rights and privileges required as a penalty of hazing of the student organization, through you, Mr. Speaker, to the proponent?

SPEAKER STOLBERG:

Representative Cohen.

REP. COHEN: (15th)

Through you, Mr. Speaker, could I ask that the question be repeated again?

SPEAKER STOLBERG:

Representative Jaekle.

REP. JAEKLE: (122nd)

Thank you, Mr. Speaker, through you, to the proponent of the bill, House Amendment Schedule "A" added, well, really revised the language of Section 3 and indicated that a student organization which violates the prohibition on hazing, as I put them together, shall be subject to a fine of not more than \$1,500, so I appreciate that the dollar amount could be substantially less, but it also says that they shall forfeit for a period of not less than one year their rights as a student organization, so what I really want

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to know is if a minor violation, such as being locked in a closet for a half an hour as a condition of becoming a fraternity member happens, in and of itself is hazing, that is reported to the school authorities, is it correct then that that organization must have their rights really revoked for a full year at the very least regardless of what the monetary fine is, through you, Mr. Speaker?

REP. COHEN: (15th)

Through you, Mr. Speaker.

SPEAKER STOLBERG:

Representative Cohen.

REP. COHEN: (15th)

Thank you. I believe that the change in House Amendment Schedule "A" from Senate Amendment Schedule "A" is the addition of the words "not less than one year" rather than "for one year." Some of the independent colleges came to Representative Ward and to myself and suggested that in serious cases of hazing, not locking in a closet necessarily, but in serious cases of hazing, they have in the past suspended student organizations for more than a year and they wanted to still be allowed to do that.

REP. JAEKLE: (122nd)

I thank the proponent, but what I wanted, and I

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appreciate that severe instances of hazing, especially if injury results, or heaven forbid, death, a large penalty, the maximum fine and maybe suspension of rights for five years would be appropriate or ten. What I want to know is even a minor hazing incident, the example I cited, being locked in a closet for a half an hour, which through the previous dialogue, is in and of itself hazing, would be prohibited under Section 2. "No organization shall engage in hazing." What I would call, and what I think you would call a minor instance of hazing, the monetary fine might be \$1, that would be less than \$1,500, I buy that, but isn't the student organization then basically thrown off campus or forfeit? Don't they have to forfeit their rights and privileges for at least one year since with House Amendment Schedule "A" the organization shall forfeit for a period of not less than one year their rights and privileges.

So wouldn't a minor hazing incident, if complained about, result in the suspension of the student organization's rights and privileges for one year at the very least, through you, Mr. Speaker?

SPEAKER STOLBERG:

Representative Cohen.

REP. COHEN: (15th)

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Through you, Mr. Speaker, I don't know if I made myself clear before, Representative Jaekle, but I'll try again. I think that in terms of determining, for instance, whether locking one in a closet and therefore having it be considered hazing and therefore losing one's rights for not less than one year that there would be a case-by-case determination by the institution and I think if the institution does in fact believe that that locking in the closet recklessly or intentionally endangers the health and safety of a person, then in fact, you are correct.

I am not certain that the institution on a case-by-case basis would say that locking one in a close, in and of itself, would constitute hazing.

REP. JAEKLE: (122nd)

Thank you, Mr. Speaker. Mr. Speaker, we may have now some conflicting intent. What I guess I'd like to do is go back to my threshold question on the definition of hazing. Is hazing a violation of criterias one, two, three, four and five since hazing is defined as reckless or intentionally endangering the health or safety of a person, but then it says "the term shall include" and then it lists one, two, three, four, five. Number three says, "the confinement of a person to" and I picked upon "unlighted area", locked

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in a dark closet to me is confined in an unlighted area.

What I want to know is is violation of any of these standards, one, two, three, four, five, in and of itself hazing, or must any of the violations of the five criteria listed, must it also be accompanied by a showing that the violation of any one of those five also was an intentional or reckless endangering of the health and safety of a person? Is it a dual standard or is it basically the broad standard, but specifically the five items are considered hazing? What are we talking about, through you, Mr. Speaker, to the proponent?

REP. COHEN: (15th)

Mr. Speaker.

SPEAKER STOLBERG:

Representative Cohen.

REP. COHEN: (15th)

Mr. Speaker, through you, I see what you're getting at Representative Jaekle and I think I did not answer you correctly the first time and I would like to try again and I think that I would say is that the terms "shall include" term means hazing and hazing means recklessly or intentionally endangering the health and safety, so I believe the confinement of a person

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relates to recklessly or intentionally endangering the health and safety because, as an example, confinement for one person given that person's physical makeup would be different than another person's and I believe it would be a case-by-case decision based on each incident.

REP. JAEKLE: (122nd)

Thank you. I'd like to thank the proponent. I wish the language read very clearly the way it was just indicated, but I am hoping that with that as the Chairperson of the Education Committee's statement of the intention of this new law that that would be the way it would be interpreted since both the institutions of higher education could impose sanctions for very minor transgressions, in my opinion, which would result in suspension of rights of an organization to continue as an organization.

I'd also indicate, however, that civil rights could well flow from this, civil actions could flow. That's the Section 5 of the bill now which does indicate that other type of actions may flow like going to court. I would hope that the courts and the institutions of higher education that would have to interpret this legislation and possibly effect punishment would follow the intention of the Chairperson's definition of hazing

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that it's a dual standard, violation of a specific criteria which also endangers the health or safety of a person who is pledging to get into a sorority or a fraternity or other organization and not what I'm concerned about a rather literal reading that might say violation of one standard alone is enough.

With the intention I hope established, the bill is not that bad and I'll probably support it.

SPEAKER STOLBERG:

Will you remark further? If not, will members please be seated. Staff and guests to the well of the House. Will you remark further? Representative Ward.

REP. WARD: (86th)

Mr. Speaker, briefly also to rise in support of the bill. The Minority Leader's endorsement was rather lukewarm. Mine is very strong. I think members of the Chamber should just know the proposal really came from colleges students that were members of fraternities. They're the ones that said they felt this was necessary. I think they felt it was necessary because of the problems that have happened to other students because of adverse publicity of fraternities in the April 1988 issue of Newsweek indicating fraternities under fire. They want fraternities to be recognized for the good things that they do, not for the bad

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things that a few of them do. I think this bill goes and sets forward those things that are inappropriate behavior in any case and ought to be prohibited.

Again, it wasn't opposed by the college students. It was proposed by the college students that are involved in fraternities.

SPEAKER STOLBERG:

Will all members please be seated. Staff and guests to the well of the House. Will you remark on the bill as amended by Senate Amendment Schedule "A" and House Amendment Schedule "A". If not, the machine will be opened.

I'm sorry. I'm going to lock the machine. Representative Hanchuruck was on his feet. The vote will be cancelled. Representative Hanchuruck. I apologize, Sir.

REP. HANCHURUCK: (102nd)

Thank you, Mr. Speaker. That's quite all right, Mr. Speaker, I understand the hour is late and I don't want to belabor the issue. The amendments are certainly better than the file copy which I voted against in committee, but the amendments still leave a question open in my mind and I'm hoping that maybe the proponent or the Ranking Member could answer a question for me. When one of the students gets, and I'm

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assuming these are criminal finds and not civil fines, when they get arrested and come to my office and say that they've been arrested, what do I tell them they've been arrested for? Is it a misdemeanor? Is it a felony? I see Representative Ward on his feet. Maybe he could answer that question for me, through you, Mr. Speaker.

SPEAKER STOLBERG:

Representative Ward.

REP. WARD: (86th)

Mr. Speaker, depending on what they bring on the information that they were cited with. If they're cited only under this section, I would say it would be a violation because it is only a fine. I think it would be a criminal violation. I wouldn't either be an infraction, nor would it be a felony, nor would it be a misdemeanor. I think it would fit within the violation category, but what I would do if somebody came in to me as I would read what they were charged under, perhaps the acts they committed were in fact other criminal violations and Section 5 of this amendment becomes the bill, makes it very clear that they can also be prosecuted under other criminal statutes.

REP. HANCHURUCK: (102nd)

Thank you, Representative Ward, and Mr. Speaker, if

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I may, I understand, as does Representative Ward, that when people are charged with criminal offenses they are often charged with a variety of them, therefore, making prosecution on one or more of them a little bit easier and the question that I have and the problem that I have with this is if this is not going to be a criminal violation, then where do they pay this \$1,000 fine? Maybe Representative Ward could answer that for me too, through you, Mr. Speaker.

SPEAKER STOLBERG:

Representative Ward.

REP. WARD: (86th)

I believe in fact it would be an arrest, it's a fine, it would go through the court system on the criminal side of the court system, as I read this fine. It's not a civil penalty. It's a statute that makes something illegal behavior and it would go through the criminal system as a violation. That's all I have.

SPEAKER STOLBERG:

Representative Hanchuruck.

REP. HANCHURUCK: (102nd)

Thank you, Mr. Speaker, I'm also going to support these amendments in the bill. Thank you.

SPEAKER STOLBERG:

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Will all members please be seated. Staff and guests to the well of the House. Will you remark further? If not, the machine will be opened. Staff clear the aisles.

CLERK:

The House of Representatives is voting by roll.

Members to the Chamber. The House of Representatives is voting by roll call. Members to the Chamber please.

SPEAKER STOLBERG:

Have all the members voted? Have all the members voted and is your vote properly recorded? If all the members have voted, the machine will be locked and the Clerk will take a tally.

Will the Clerk please announce the tally.

CLERK:

Senate Bill 337, as amended by Senate Amendment Schedule "A" and House Amendment Schedule "A".

Total number voting	145
Necessary for passage	73
Those voting yea	145
Those voting nay	0
Those absent and not voting	6

SPEAKER STOLBERG:

The bill is passed.

CLERK:

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CONNECTICUT
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SENATE

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325-703

WEDNESDAY
MARCH 9, 1988

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Education

Subst. SB 337 AN ACT PROHIBITING HAZING.

REFERRED TO: Judiciary

Education

Subst. SB 340 AN ACT CONCERNING CHILD ABUSE IN
SCHOOLS.

REFERRED TO: Judiciary

Government Administration and Elections

SB 399 AN ACT CONCERNING VACANCIES ON THE METRO
NORTH HAVEN RAIL COMMUTER COUNCIL.

REFERRED TO: Transportation

Human Services

Subst. SB 34 AN ACT CONCERNING A TOLL-FREE
MEDICARE HOTLINE AND LEGAL REPRESENTATION FOR
CONNECTICUT MEDICARE RECIPIENTS DENIED MEDICARE
COVERAGE.

REFERRED TO: Appropriations

Human Services

Subst. SB 212 AN ACT CONCERNING THE PURCHASE OF
SERVICES PROGRAM AND THE REGULATING OF FAMILY DAY CARE
HOMES.

REFERRED TO: Appropriations

6. BUSINESS FROM THE HOUSE:

HOUSE BILLS FAVORABLY REPORTED WITH A CHANGE OF
REFERENCE - to be referred to committees indicated

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CONNECTICUT
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1474-1871

WEDNESDAY
APRIL 20, 1988

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call. So that now we are dealing with the adoption of Calendar No. 208, Senate Bill 474, File No. 239. The machine is open. Please record your vote. Has everyone voted? The machine is closed. Clerk please tally the vote.

The result of the vote.

35 Yea

0 Nay

The bill is adopted.

Clerk please call the next item.

THE CLERK:

Page 2, Calendar No. 252, File No. 316, Substitute for Senate Bill No. 337, AN ACT PROHIBITING HAZING. Favorable Report of the Committee on JUDICIARY. Mr. President, the Clerk is in possession of an amendment.

THE CHAIR:

Senator Avallone. Oh, excuse me, Senator Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President, I would move acceptance of the Joint Committee's Favorable Report and passage of the bill. And ask that the amendment be called.

THE CHAIR:

Clerk please call the amendment.

THE CLERK:

Senate Amendment Schedule "A", LCO No. 3360

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introduced by Senator Avallone and Senator Sullivan.

THE CHAIR:

Senator Sullivan.

SENATOR SULLIVAN:

Mr. President, I would request that the reading be waived and have permission to summarize.

THE CHAIR:

Without objection, you may proceed.

SENATOR SULLIVAN:

Thank you, Mr. President. Since the amendment becomes the bill we will discuss why this matter is before us and urge acceptance of both the amendment and thereby of the bill. There are now 24 states in the United States which have enacted college anti-hazing laws. Among them Massachusetts, Rhode Island, New York, Pennsylvania and New Jersey. Statutes upon which this piece of legislation is based.

Most of those bills, most of those acts in the other states have come forward because of the advocacy and because of the support of campus based organizations. They want to have additional protections on the statutes for those fraternities or sororities or other campus organizations which do not conduct themselves in a way that is safe for members or pledges.

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This bill does not in any way shape or fashion, limit or exclude any existing civil or criminal remedy that is on the books. Instead, what it does is it adds a new protection against hazing, hazing which recklessly or intentionally endangers the health or safety of an individual. It provides penalties for individuals but most important it provides penalties for organizations which condones hazing and more particularly the ability to forfeit and have forfeited the campus recognition of those organizations.

We feel that the amendment and thereby the bill will add a reasonable protection in our State statute and at this point I would yield to Senator Eads.

THE CHAIR:

Senator Eads.

SENATOR EADS:

Thank you, Mr. President. First I would like to extend my sincere gratitude and thanks to Senators Avallone and Kevin Sullivan for assisting with this bill. First, the idea came to my attention from students at WestConn and they asked if we could do something in the Legislature because as Senator Sullivan there are about 24 to 28 states that have already adopted this legislation. Also they belonged to Sigma Phi and their international chapter wanted to

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make sure that they had guidelines on their books.

More or less the bill is preventive medicine. It really expresses that hazing is really detrimental and unacceptable behavior. And I think we have all heard the horror stories. The last one was at Rutgers University. We have not heard and we have been very fortunate that we have heard no stories and no problems here in the State of Connecticut. Although there are times, let's be honest with each other, that either the organizations or the institutions cover up the problems. And I just would like to go over for a few seconds of what the Vice President of Trinity College said. He said this kind of recognition of its evils would be helpful in stamping out what remains of it and apparently there are about 350 school, 1700 students belonging to one of 9 fraternities and sororities at the college.

I have a number of letters and phone calls endorsing this. I don't think we are hurting anybody. I think we are strengthening whatever laws we have on the books. And I would certainly ask the support of the Circle on this bill. And, again, thanks to Senator Avallone and Senator Kevin Sullivan.

THE CHAIR:

Further remarks on the amendment? All

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those..excuse me, Senator Upson.

SENATOR UPSON:

If I may, through you, Mr. President to Senator Eads.

THE CHAIR:

You may proceed.

SENATOR UPSON:

And Senator Eads, this only applied to when you mention the word campus, or I believe Kevin Sullivan. This only applied to those sororities or fraternities that are part of college campuses, or is it applied to private sororities or fraternities that exist all over the State, especially in Waterbury?

THE CHAIR:

Senator Eads.

SENATOR EADS:

Especially in Waterbury. When you say about sororities and fraternities expressly in Waterbury, are they connected with a college or an institution of sort?

SENATOR UPSON:

Through you, Mr. President, there are sororities and fraternities, for example, Business Women, Business Men, I mean that type of group.

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Senator Eads.

SENATOR EADS:

Thank you. Through you to Senator Upson. No, it is just for students in higher education. They wouldn't trouble your people.

SENATOR UPSON:

Thank you very much.

THE CHAIR:

Further remarks on the amendment? All those in favor of the amendment signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Further amendments?

THE CLERK:

Mr. President, there are no further amendments.

THE CHAIR:

We are now on the bill as amended. Senator Kevin Sullivan.

SENATOR SULLIVAN:

Thank you, Mr. President. If there is no objection I would move it to the Consent Calendar.

THE CHAIR:

Without objection, so ordered. Call the next item

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Page 5, Calendar No. 323, Substitute for Senate
Bill No. 372. Calendar No. 332, Senate Bill No. 146.

Page 6, Calendar No. 334, Substitute for Senate Bill
No. 452. Calendar No. 335, Substitute for Senate Bill
No. 519. Calendar No. 336, House Bill No. 5072.

Calendar No. 337, House Bill No. 5095.

Page 7, Calendar No. 338. Substitute for House
Bill No. 5678. Calendar No. 342, House Bill No. 5029.

Page 8, Calendar No. 346, Substitute for House Bill No.
5833. Page 9, Calendar No. 353, Senate Bill No. 416.

Calendar No. 355, Substitute for Senate Bill No. 343.

Page 10, Calendar No. 359, Substitute for Senate
Bill No. 41. Calendar No. 360, Substitute for Senate
Bill No. 212. Calendar No. 363, Substitute for Senate
Bill No. 323.

Page 15, Under FAVORABLE REPORTS, RESOLUTIONS,
Calendar No. 347, House Joint Resolution No. 44.

That, I believe, completes the Consent Calendar.

THE CHAIR:

Any changes or omissions? The machine is open.
Please record your vote.

Do we have another Agenda or Agendas? Thank you.
Excuse me. I didn't announce the vote on the Consent
Calendar. Og, excuse me. The machine is closed.
Clerk, please tally the vote.

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The result of the vote:

36 Yea

0 Nay

The Consent Calendar is adopted.

THE CLERK:

Mr. President, I have in my possession Senate Agenda #3, dated Wednesday, April 20th, 1988.

THE CHAIR:

Senator O'Leary.

SENATOR O'LEARY:

Mr. President, I would move that all items on Senate Agenda #3 dated April the 20th, 1988, be acted upon as indicated, and that the Agenda be incorporated by reference into the Senate Journal and the Senate transcript.

THE CHAIR:

Without objection, so ordered.

SENATE AGENDA #3

MATTER RETURNED FROM COMMITTEE - to be tabled
for the Calendar

Appropriations (No New File)

Subst. SB 336 AN ACT IMPLEMENTING THE
RECOMMENDATIONS OF THE GOVERNOR'S BUILDING CONSTRUCTION

S-285

CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
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On the bill itself, Mr. President. All of the fee schedules that we had passed earlier have been taken out of the bill. Probate judges will now be allowed to, for purposes of billing, to keep in the inter-spousal changes in the estate, and the study that had been created is now eliminated.

THE CHAIR:

Will you remark further?

SENATOR AVALLONE:

I would put it on Consent.

THE CHAIR:

Without objection, so ordered.

THE CLERK:

Calendar page 18, Calendar 252, Substitute for Senate Bill 337. AN ACT PROHIBITING HAZING. (As amended by Senate Amendment Schedule "A" and House Amendment Schedule "A"). Favorable Report of the Committee on JUDICIARY.

THE CHAIR:

Senator Avallone. Senator Sullivan.

SENATOR SULLIVAN:

Through you, Mr. President. I would move adoption, in concurrence with the House.

THE CHAIR:

You may proceed.

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SENATOR SULLIVAN:

Yes, Mr. President. The changes in the House merely strengthen the bill that we have already voted on last week, in terms of clarifying its application to campus-based organizations and in terms of the penalty that was already provided in the bill.

THE CHAIR:

Will you remark further?

SENATOR SULLIVAN:

If there is no objection, I would move this to the Consent Calendar.

THE CHAIR:

Without objection, so ordered.

THE CLERK:

Calendar 305, File 413, Substitute for Senate Bill 517. AN ACT CONCERNING INFORMATION CONTAINED ON CHECKS ISSUED BY POLITICAL COMMITTEES. (As amended by House Amendment Schedule "A"). Favorable Report of the Committee on GOVERNMENT ADMINISTRATION AND ELECTIONS.

THE CHAIR:

Senator Maloney.

SENATOR MALONEY:

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

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ordered in the Senate on the third Consent Calendar.
Will all Senators please return to the Chamber?

THE CHAIR:

The item before the Chamber is the third Consent Calendar of the day. Will the Clerk please read off those items to be included on the Consent Calendar?

THE CLERK:

Thrid Consent Calendar, Mr. President, begins on Calendar page 17, Calendar No. 386, Substitute for Senate Bill 476. Calendar 251, Substitute for Senate Bill 68.

Calendar page 18, Calendar No. 252, Substitute for Senate Bill 337. Calendar 305, Substitute for Senate Bill 517. Calendar 322, Substitute for Senate Bill 247. Calendar 361, Substitute for Senate Bill 313.

That completes the third Consent Calendar, Mr. President.

THE CHAIR:

The item before us, again... Any corrections, additions or deletions to the third Consent Calendar of the day? The machine is open. Please cast your vote.

The machine is closed. Clerk, please tally the vote.

The result of the vote:

36 Yea

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0 Nay

The Consent Calendar is adopted. Senator DiBella.

SENATOR DIBELLA:

Thank you, Mr. President. I was out of the Chamber on legislative business, and I missed Calendar 474, House Bill 5320. I would like to be recorded in the affirmative, Mr. President.

THE CHAIR:

The record will so note. Senator Matthews.

SENATOR MATTHEWS:

Thank you, Mr. President. I was out of the Circle on legislative business, and I would like to be recorded in the affirmative for Calendar 534, House Bill 5316.

THE CHAIR:

The record will so note, Senator. Senator O'Leary.

SENATOR O'LEARY:

Mr. President, I move for suspension of the rules for immediate transmittal of all those items going to the House.

THE CHAIR:

Without objection, so ordered. Clerk, please...
Senator Mustone.

THE CHAIR: (Senator Mustone in the Chair)

Clerk, call the next item, please.

JOINT
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our educational and research programs.

Many research projects (inaudible), including DHE high technology projects for program grant, which involves significant industrial partnerships with the State of Connecticut.

SEN. SULLIVAN: Are there any questions? If not, thank you. That completes the testimony on that bill. We move along to Senate Bill 337. The first person to sign up is Ron Mombello.

If this is a Sigma Chi group presentation, feel free to also come up together, if that's what you wish. The only thing we would request is that whenever any one of you speak, that you identify who you are for the record, so that our transcriptionists do not go crazy when the tape goes out.

RON MOMBELLO: Members of the Education Committee, I'm Ron Mombello with Sigma Chi International Fraternity.

Sigma Chi International Fraternity has had an anti-hazing policy since the early 1970's, and we're very much in favor of the State of Connecticut having its anti-hazing bill as well. Sigma Chi has tight advisor control and tight regional control over its chapters, and a year ago, we formed a petitioning local at Western Connecticut State University, and we have a gentleman here today from that petitioning local.

We want a positive image to the campus, and that is a history that goes back to 1855, and we now have over 200 active chapters in the United States and Canada, and we demonstrated that we meant what we said about our strong anti-hazing position.

However, though we try to influence through our behavior, we feel a state law would provide a greater across-the-board impact and control. If any group hazes on any campus, this stereotypes us all. If any group hazes, they should be held responsible by law. And further, a law is good preventative medicine.

We're very, very grateful to Senator Eads for her

help in this language.

KEVIN MORGAN: Good morning, my name is Kevin Morgan, and I'm a senior in (inaudible) at Western Connecticut State University, and (inaudible) representative for Sigma Chi Alpha fraternity on campus.

Like Ron said, over a year and a half ago, Sigma Chi International Fraternities came onto campus to start or to see what the response was for a fraternity. (inaudible) We went to several organizational meetings and introduction meetings, and a lot of us got to feeling that maybe fraternities, it's not for everyone.

Fraternity as of late has gotten some publicity, especially what we saw several weeks ago at Rutgers University. We're not doing this because of that instance. Back in September we said that we've decided one of our strong things to become a positive image and impact on campus. We try to educate the students at Western as well as our brothers in the fraternity that it is of utmost importance to have personal responsibility. One of Sigma Chi standards is to be a man of good character, a student of (inaudible), with ambitious purposes, a congenial disposition, possessed of good morals and having a high sense of honor and a deep sense of personal responsibility.

In turn, just by going on that standard, how could someone try and tell other people that he (inaudible), go out and have the right to haze an individual. When I think of haze, I think of a cloudy, distorted atmosphere. Haze, in fact, can represent a vague or confused state of mind.

To directly haze somebody is to harass with silly, disagreeable or demeaning tasks. This is what I'm trying to say, is that hazing has no purpose in a positive connection. It is very negative. Basically, what we're trying to do now is guarantee that the State of Connecticut has by law the protected rights of hazing.

Will this stop hazing altogether? Well, we can't be guaranteed, because some people might say, well, let's just stop fraternities altogether. In my

mind, that'll just defeat the purpose, because that'll drive fraternities underground, and we'll have a major problem.

The idea of fraternities is alive and well on campus, and many fraternities are trying to fight the idea of hazing. It's just, it's totally negative. It would be our job as undergraduate chapters to go out and educate the students and educate the other fraternities to guarantee that this won't happen in Connecticut.

Not only will this protect fraternities, but also any organizational or social clubs for undergraduate students in college as well as high school throughout the state.

So basically, we ask you to consider this as a positive means of protecting individuals from having other people haze them in a demeaning fashion, because there is no positive thing coming out of it. It's just totally negative, and basically, what we would like to see is this passed as a law so that these people, groups, will be aware of it, and make it aware to everyone else that the State of Connecticut will not stand for it, and we will not see the tragedy that happened at Rutgers University, where a young man died because he in fact consumed 24 ounces of straight alcohol. Not two beers, 24 shots of alcohol went into his body because of peer pressure, where he felt that he had to be a part of this group so bad that he had to do something of this nature.

We at Western Connecticut, and hopefully other colleges and universities, some of the finest in the country here in Connecticut, will not stand for such actions, and it is my job as well as my brothers here today to go out and educate our fellow voters and fellow students at Western Connecticut. Thank you.

DOUG MCGUIRE: Members of the Education Committee, my name is Douglas McGuire, I'm a student at Western Connecticut State University, and representative of Sigma Chi Alpha.

I just would like to (inaudible) the Rutgers incident and how, and it definitely is that it not

only brings down the fraternity's name, but also the school's name, and in Connecticut, you have some very fine colleges such as Yale, U. Conn., Fairfield, and if an incident happened at one of these institutions, I'm sure that it would affect people's opinions on whether to send their students, their son or daughter, to this college.

Also I would like to touch upon that if the system of which a fraternity or sorority Greek organization selects membership. The interested members first will go through a pledge session where they will be asking all interested persons to come and visit with the fraternity or sorority. At this, they will meet the members.

After this has taken place, the members will then vote on these interested persons, on whether to submit them as a pledge. Now, they've already been voted in as being a pledge, I feel that is somewhat saying, okay, they're okay to come into to this organization. Now they have him as a pledge.

Pledging is known as making a commitment or a vow towards this organization, and through the pledging, this would-be hazing will occur. At Sigma Chi Alpha, we use pledging as a learning, training experience, to show them how, we don't show them, teach them how the organization runs, how it functions, they learn the history of the organization.

And the way they show and improve their commitment is through participation. Fraternities and sororities have community events that they sponsor, they will show up for the chapter meetings, anything like this, participation is stressed, so this commitment right there of your time and your willingness is enough right there to show that you are committed to this organization.

STEVE SCEBELO: My name is Steve Scebelo, I am a representative of Sigma Chi Alpha and a senior marketing student at Western Connecticut State University. I just wanted to add a personal note to what I feel this bill will help in Connecticut accomplish.

I know that if I (inaudible) it is not a

significant number. What I had told myself is that I would never participate in any fraternities that had any policy that did not feel that my taking part in any activity such as excessive drinking and food in any way, that I am worthy to be a member of that. What I learned about Sigma Chi Alpha is that I learned that the brothers or members did not take part in anything, (inaudible) become an active member, that's it.

And I'm glad that I made that choice, because without making that choice, I might have missed several valuable opportunities that we had to help the school and help the local community.

Some of those instances are, last semester we sponsored a food and clothing drive during the holiday season, which helped to benefit the local Salvation Army. We also helped organize a road race at Western Connecticut, and the proceeds also went to help a local charity.

So I think that the positive effect that the fraternity has had, not only at Connecticut State University, but also at the local Danbury area, will act as a good example what fraternity is, what it can do. It is not hazing, it is brotherhood that can work together to accomplish positive results.

I hope this bill will help younger students entering college to decide whether or not they should become part of a fraternity, how they can help the fraternity, how they can help the college and help local communities.

SEN. SULLIVAN: I just want, before we open it up to questions or other comments, for me, to let you know how impressed I am with your testimony here this morning, and the fact that I've think you've taken such a positive attitude, not only in your remarks here, but in the work of the fraternity that you're members of.

KEVIN MORGAN: When people think of a fraternity, right away someone says, "Frat." Just the idea of frat sounds of negative. Fraternity, it's an organization that allows individuals with different temperaments, convictions, talents, all to work

together as one. Why couldn't we decide now and show people that instead of taking a peek at someone else, something basically asinine, why couldn't you take that same person and bring him down to the local elementary school, something after school, have the pledges work on a project where they're going to be able to learn and teach someone else. There's no sense in hazing. If anyone has any questions.

SEN. SULLIVAN: Representative Cohen.

REP. COHEN: Let me ask you what you know from your own experience, not only about your fraternity but about other fraternities and sororities on campus. I guess I would particularly ask Douglas, but would be interested in hearing from any of you, about how many people who pledge don't get invited to finally join, if invited is the right word.

DOUG MCGUIRE: At our school?

REP. COHEN: Yeah, or just, you know, people you know at your school or other schools.

DOUG MCGUIRE: Okay, well, a rush is...

REP. COHEN: I understand the difference between rushing and pledging, and I understand that at the end of the pledging, then formal invitations to join are issued. Is that right?

DOUG MCGUIRE: No, at the end of the rushing, we invite them to become a pledge. When the pledge, in our case they have to pass a test, and they are tested on the fraternity history of Sigma Chi and international fraternities that we are petitioning. That's all of our pledging consists of, and that's all the pledging consists of in our pledge class now.

What they do is, our vice president is in charge of teaching them how our organization functions. They have to just learn, participate, and that's it. If you do not participate, that's when you do not get accepted. I believe this had one person who has dropped out, and dropped out basically on their own, because they felt they couldn't make the meetings, and they weren't participating. That's

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all you really have to show.

REP. COHEN: I think, what I'm trying to find is, I'm making an assumption that the reason that rational and intelligent young adults even submit themselves to any kind of hazing activities is because they like the organization that they've been invited to pledge, and they want to be assured that they will in fact become members of that organization, and I guess what I'm trying to find out, is it common practice for people who say, you know, no, I'm not going to eat the jello with the worms, I'm not going to drink the 24 ounces of pure alcohol, to be not invited, and how common is that?

(cass 3)

DOUG MCGUIRE: Okay, I was a transfer student to West Conn., and the college that I went to prior to that was in another state, they had six or seven fraternities on campus. I have a brother who is involved in a national fraternity, one of the large nationals, and I saw how fraternity worked and I really liked the idea, and when I went to this other school, I saw fraternities up there, but then I heard, it's all hearsay about what you hear about what the pledges you have to do, because the pledges that don't make it, of course they'll tell other people.

Now, the pledges that do make it, they're sworn to secrecy and all this, so they're not supposed to let anything out, but of course, (inaudible). When I heard this, I was going to (inaudible) when I heard this, I thought, why, why should anyone have to go through this?

And our campus, where there is six or seven fraternities, and certain fraternities are known for being the better of the campus, the more athletic, the more socially, they guys get more of the girls, things like that, all right?

REP. COHEN: I must have gone to the wrong school.

DOUG MCGUIRE: He'll get in, sees this, and he's new to the school, of course he's going to want to get involved as much as possible. (inaudible) even where the case where there is laws, what happens is those schools have to be educated, and then the

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administration has to also lay this out for the fraternities there. It can't just happen overnight. It's not overnight when it happens. It's got to take place, and why not do it now, while the Rutgers incident is to our advantage. It'll be more known and the law will be seen and it'll be good for everyone.

SEN. SULLIVAN: Do you think that the bill prescribes what I think what I believe is a criminal penalty at \$1000. Do you think it should be a criminal penalty or a civil penalty. Do you think it should be steeper or less steep than what's in the bill.

DOUG MCGUIRE: Personally, well, I guess that would all have to go through the trial also, how responsible the individual or organization is for that act.

I would think a steep penalty, if they know the law, the law (inaudible) to them through the administration, then they should know. A man wouldn't rob a bank if he knows the law is illegal unless he really wants to take the chance. We all know the laws and we stood by them.

SEN. SULLIVAN: Senator Eads and then Representative Gilbert.

SEN. EADS: Thank you. I just want to say thank you to all of you for coming up and for all the support you have given me and all the information. I would echo Senator Sullivan's words that your presentation has just been great, and I think you all should run for office rather than going into business administration or anything else. Thanks a lot.

SEN. SULLIVAN: If any of you live in Adele's district.

SEN. SULLIVAN: Representative Gilbert.

REP. GILBERT: I just wanted to ask a question about the fines. Did you have any specific thing earmarked for these fines? Where would they go, or who would get the funds, the fines, if they were imposed? Be within the court system, or have you given any thought to it at all?

: I would imagine that would be handled through

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(inaudible)

REP. GILBERT: Okay, would you have any objection to including in that bill any hazing of freshman legislators?

SEN. SULLIVAN: Any other questions?

REP. CARTER: I'm Representative Carter from Hartford. I'd like to follow up on Naomi Cohen's question, and that is, let's say that there's 20 kids trying to get into your fraternity, and they've gone through most of the process. How many of those people fall out and don't get in?

RON MOMBELLO: That was a very good question. With the procedure in writing is present to the prospective students that come into that room, what we represent. And we usually will find, for example, that of 50 students that come into that room, there is a gravitation toward policy, they like the people that are around the room, they like what the information that they pick upon the boards, and what happens is, of those 50, perhaps there will be 25 people that say, I'm interested in going through the rush process.

And the rush process then is going to three or four private social functions. At the end of that period of time, we have usually found (inaudible) that we're narrowed down to what's called, and that's not to a period of saying, I don't like John or I don't like Bill. There just seems to be a natural (inaudible) that you end up with a pledge class, without even hardly knowing it.

I know these gentlemen here had a (inaudible) that ended up with 13. And they took a class of 11, and the reason that they took 11 was two people expressed that they were not able to meet requirements or in the case of financial.

There are goals, and sometimes if there are 50, and some 50 want to come in, there's a rejection process. We don't call it necessarily a rejection.

: What do you call it, then?

RON MOMBELLO: You know what I mean. And then what

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basically happens is, for those people, most of the time, we have found that the reason people are not asked in is because there hasn't been a mutual (inaudible). In other words, we don't know the person, they haven't gotten to know us, so basically, what we do is we just extend the invitation, say come back for the next step.

REP. DANDROW: I was wondering, can you tell me, are there other fraternities on your campus?

RON MOMBELLO: Yes, we have one presently (inaudible) Sigma Chi, that is another international organization. And that is also a (inaudible).

REP. DANDROW: And is that also, does that have a hazing policy?

RON MOMBELLO: Sigma Chi International, yes, does have an anti-hazing policy.

REP. DANDROW: It does also. Now what about some of the other fraternities that do not have one. In other words, I'm trying to find out roughly how many in Connecticut, fraternities exist that you know of that do not have an anti-hazing policy.

RON MOMBELLO: Most national and international fraternities, by way of the example that has been set by the stronger nationals, have within their constitution (inaudible). But as I said in my remarks, the actual supervision of it is where we break down. And some of the international organizations do not have the tight control that nationals, that we do, that's where some hazing is.

REP. DANDROW: How about school policies regarding these, or university policies?

RON MOMBELLO: Western Connecticut does have an anti-hazing policy for their students, yes.

REP. DANDROW: I see. Thank you very much.

REP. COHEN: Other questions? Thank you. Moving now to Senate Bill 339, AN ACT CONCERNING PAYMENTS IN LIEU OF TAXES FOR REGIONAL EDUCATION SERVICE CENTERS, there is no one who has signed up to speak.